

Economic and political developments in the British West Indies during the period of the American Revolution

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ECONOMIC AND POLITICAL DEVELOPMENTS IN THE
BRITISH WEST INDIES DURING THE PERIOD
OF THE AMERICAN REVOLUTION

by

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ABSTRACT

The years after 1763 were vital to the special position of the West Indian islands within the British Empire. Yet no integrated study has been made of the economic and political issues raised in the West Indies during the period of the confrontation between the American colonies and Britain. This thesis is intended to fill this gap.

The first chapter, which outlines West Indian commercial connections from 1770 to 1775, shows that during these years the production of West Indian staples was increasing in most islands, especially in Jamaica and the ceded islands where new plantations were being developed. The War of American Independence therefore raised the question of the future of the islands as profitable commodity producing areas, given their dependence on the American colonies for lumber and provisions, as well as a market for their excess products. Chapters II to V look at the War's effect on the islands' economy, and examine the various measures adopted by Parliament and the local legislatures to avert any lasting recession.

The other aspect of the Revolution was the political impact on the Caribbean colonists. In the islands, as in America, many constitutional questions were raised. The idea, held by the Americans, that Parliament was not

sovereign, and could not legislate for the colonies in internal affairs, or when British interests conflicted with theirs, was also widely discussed. Chapters VI to VII assess politics in the colonies, showing that there was widespread opposition to individual governors in most of the islands, and an erosion of much of the executive power.

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LIST OF ABBREVIATIONS

Add. MSS.	Additional Manuscripts
Adm.	Admiralty Papers
<i>A.H.R.</i>	<i>American Historical Review</i>
Bodl.	Bodleian Library
B.T.	Board of Trade Papers
C.O.	Colonial Office Papers
<i>Ec.H.R.</i>	<i>Economic History Review</i>
<i>E.H.R.</i>	<i>English History Review</i>
G.D.	Gift Deposit
H.C.A.	High Court of Admiralty Papers
J.A.A.	Journal of the Assembly of Antigua
J.A.B.	Journal of the Assembly of Barbados
J.A.G.	Journal of the Assembly of Grenada
J.A.J.	Journal of the Assembly of Jamaica
J.A.N.	Journal of the Assembly of Nevis
J.A.S.K.	Journal of the Assembly of St. Kitts
<i>J.E.H.</i>	<i>Journal of Economic History</i>
L.B.	Letter Book
M.A.M.	Minutes of the Assembly of Montserrat
M.C.B.	Minutes of the Council of Barbados
N.L.S.	National Library of Scotland
N.R.A.	National Registry of Archives
P.C.	Privy Council Report
<i>P.S.Q.</i>	<i>Political Science Quarterly</i>
T.	Treasury Papers

CHAPTER I

YEARS OF PROSPERITY:

WEST INDIAN COMMERCE 1770-1775

The economic development of the British West Indies during most of the seventeenth and eighteenth centuries was dependent on their unrestricted relations with Britain and the American mainland colonies. Before 1775 the sugar colonies, as they were commonly called, and the American colonies maintained close economic ties which were allowed to develop under the protection of British mercantilism. Thus, the West Indian planters were able to sell their staples at guaranteed markets, while receiving cheap and reliable supplies of provisions, lumber, slaves and all varieties of manufactured goods. Furthermore, the commerce between Britain and her colonies operated within a closed system of shipping, financing and marketing which functioned to the benefit of the sugar producers until the outbreak of the War of American Independence in 1776.

But the system was not without certain drawbacks for the colonists. Mercantilism, as a commercial doctrine, was rigidly imposed to encourage and protect British shipbuilding and shipping, to develop her fisheries, to promote agriculture in the colonies and to foster manufacturing at home; but even more important,

to help Britain maintain a favourable balance of trade. The British government adopted several measures to achieve this: high duties on foreign imports for domestic consumption, bounties on the export of home and colonial products, steps to encourage the importation of specie, and to prohibit its exportation, and finally the strict regulation of colonial trade.¹ By adhering to the principles of mercantilism, the British government created a self-sufficient commercial empire comprised of mutually complementary parts which sustained the West Indian economy until 1775.

It is the aim of this chapter to examine the role of the West Indies in the British commercial system, bearing in mind that they could not have contributed to it without the American colonies. This role can be best understood by examining the islands' trade relations from 1770 to 1775 - the years immediately preceding the restriction on American-West Indian commerce by the Prohibitory Act of December 1775. To support some of the conclusions on the trends of West Indian trade during the period, it is necessary to use the relevant statistical data, but before doing so I should like to comment on the criticisms raised by some historians about the use of eighteenth century statistics.² These, like

¹Lowell Ragatz, *The Fall of the Planter Class in the Caribbean 1763-1833* (New York, 1928), Chapter III, pp. 81-107; see Douglas Hall, 'Incalculability as a Feature of Sugar Production in the Eighteenth Century', *Social and Economic Studies*, X, No. 3 (1961), p. 347.

²See Phyllis Deane and W.A. Cole, *British Economic Growth 1688-1959* (Cambridge, 1962), pp. 41-42; Richard Sheridan, 'The Wealth of Jamaica in the Eighteenth Century', *The Economic History Review*, 2nd Series, Vol. XVIII, No. 2 (August, 1965), pp. 292-304 (hereafter cited as *Ec.H.R.*).

other statistical material, need careful use, and should be supported by other evidence where possible. However, to refrain from using such valuable historical evidence would be as much a mistake as to use them carelessly.

The statistics on British overseas trade were prepared by the office of the Inspector-General. The ledgers give details of British commerce with foreign countries, as well as the colonies, specifying the places from which goods were imported into Britain, and those to which British goods went. The statistics are usually given in values for foreign trade, while those for the colonies are given in quantities and, or, values. The recorded values of British exports represent the cost of the articles when landed at foreign ports, and include such charges as the costs of insurance, and freight. On the other hand, the figures for imports give only the value of the goods at their country of origin, and seldom include the above charges. Consequently, the statistics, if used to determine British balance of trade cannot be taken at their face value. Any assessment of her balance of trade would have to take into account, for example, the "invisible" earnings of British fishermen selling their catch directly to foreign countries, the incomes of British underwriters, the earnings from British ships trading between foreign ports, interests on loans, or commissions paid to British agents working for foreign companies.³

³See T.S. Ashton, *An Economic History of England: The 18th Century* (London, 1955), pp. 150-151.

But they are more accurate when used as records of the quantity of goods listed by weight or measure. Smuggled goods by their very nature are not included in the listed quantity and therefore pose one major problem for the researcher. Nevertheless, the quantity of West Indian products smuggled into Britain could not be large enough to make any change to the trend of the trade. Smuggling was more important in West Indian-American trade connections than in commerce between Britain and the West Indies.

Another criticism is that the statistics may contain incorrect entries, but Sir George Clark, who made a detailed study of their value to historians, argues that after 1759 they are virtually free of errors caused by double entries, or incorrect transcription. Moreover, before 1785 they were subjected to very little interference from political parties or any other interest groups.⁴ Thus, if used carefully, this material is of significant value as historical evidence. Professor Ashton points out that although the criticisms of the statistics should be considered when using them, the Inspector-General's figures are not useless.

Far from it. Between one year and another close in time it may be assumed, in the absence of evidence to the contrary, that any change in the constituents of trade was small. The statistics may thus be used as supplementary evidence of booms and slumps in overseas commerce. Moreover,

⁴Sir George Clark, *Guide to English Commercial Statistics 1696-1782* (London, 1938), pp. 33-35.

they offer a mass of information as to the commodities dealt in and the rise and decline of particular markets.⁵

Although British-West Indian trade was rigidly regulated, and British policy was formulated to make the colonies mainly commodity producing communities, the majority of West Indian sugar planters were satisfied with the functioning of the commercial system. The British merchants furnished the planters with slaves, equipment and machinery for their plantations, clothing and foodstuffs for the white population, building materials and furnishings for their homes, expensive linens and many items of luxury. In addition, cheap clothing and other articles for the Negro population, and some manufactured goods for trade with the foreign islands were also taken from Britain, in exchange for West Indian staples.⁶

The value of the slave trade in West Indian commerce was directly linked to the production of tropical staples which were always in demand in British, European and American markets. Consequently, as a result of the economic prosperity of the sugar

⁵Ashton, *Economic History of England*, p. 153.

⁶Ragatz, *The Planter Class*, p. 92: Edward Long, 'History of Jamaica' Vol 1 (1774). Add. Mss. 12,404, fos. 378-378d; 'Queries with Answers', 1774. C.O. 137/70, fo. 89; 'Queries and Answers relating to His Majesty's Leeward Caribbee Islands', 26 June 1774. C.O. 152/54, fo. 63d (hereafter cited as 'Queries and Answers'); 'Barbados: the Governor's Answers to Queries', August 1774. C.O. 28/55, fo. 80 (cited as 'Barbados: Answers to Queries'); 'The State, Condition, Trade and Cultivation of... Dominica', 24 December 1773. C.O. 71/4, fo. 73d (hereafter cited as 'The Trade of Dominica').

colonies during the eighteenth century, until 1776, there was always a demand for new slaves, and the trade developed into one of the main branches of British commerce. Most slaves were carried to the West Indies by British merchants, but after the middle of the eighteenth century the Americans participated in the trade. Slave-ships would leave Bristol, London or Liverpool in England, New York or a New England port with rum and an assorted cargo of manufactured goods, utensils and textiles which were carried to Africa and there exchanged for Negroes, ivory, dye-woods or gold.⁷

Newly imported slaves were subjected to high mortality rates, and consequently the demand for new imports remained constant after 1763, peaking in 1770's.⁸ For example, 'in the five years 1760-1764, 100 ships brought 40,634 Africans to Jamaica, of which 27,974 were retained: between 1770 and 1774, no less than 44,409 arrived in 172 bottoms and of these only 5,741 were exported to other islands'.⁹ The annual average number of slaves brought to the West Indies between 1756 and 1770 was approximately 25,000.¹⁰ The number of Africans imported into Jamaica reached its peak in 1774-1776, before the trade was all but destroyed by the

⁷Ragatz, *The Planter Class*, pp. 81-82, 84; F.R. Augier *et al.*, *The Making of the West Indies* (London, 1961), pp. 64-65, 73.

⁸Philip D. Curtin, *The Atlantic Slave Trade: A Census* (London, 1969), p. 19.

⁹Ragatz, *The Planter Class*, p. 87.

¹⁰Curtin, *Atlantic Slave Trade*, p. 134. His figures are based on imports for 1771 which was not one of the best years for the trade.

American War.¹¹ Likewise, the number of Negroes imported into Dominica under the Free Port Act of 1766 shows a similar upward trend over the same period.¹²

Though there were large annual importations of African-born and a slight natural increase of the native-born slaves, because of the high mortality rate among the former, the black population of the islands increased only slightly after 1756.¹³ That of Barbados actually declined between 1768 and 1774.¹⁴ In Jamaica and the ceded islands - Dominica, Grenada, St. Vincent and Tobago - the black population grew steadily between 1770 and 1778. That of Jamaica rose by almost 25,000 in the five years from 1773 to 1778. But part of this increase was due to the American loyalists who went to the island with their slaves.¹⁵ One significant feature of the slave trade was the ability of the British merchants to supply the colonies 'in relation to' their demand.¹⁶ Therefore, with the opening of lands in Jamaica and the ceded islands and the increased importation of new slaves, the production of most West

¹¹See Appendix A, Table 1.

¹²*Ibid.*, Table 2.

¹³*Ibid.*, Table 3.

¹⁴Richard Sheridan, 'The Development of the Plantations to 1750'. Douglas Hall, Elsa Goveia and F.R. Augier, eds., *Chapters in Caribbean History* (Barbados, 1970), pp. 28-29; see Ragatz, *The Planter Class*, p. 30; also see Curtin, *Atlantic Slave Trade*, pp. 57-59.

¹⁵See Appendix A, Tables 4, 5, and 6.

¹⁶Richard Sheridan, 'An Era of West Indian prosperity 1750-1775'. Douglas Hall, Goveia and Augier, eds., *Chapters in Caribbean History*, p. 81.

Indian staples increased after 1763,¹⁷ and continued to do so until the prohibition of American commerce.

For example, during the first five years immediately following their cession to Britain, the average annual exportation of cocoa from Grenada and St. Vincent to England was 287,240 pounds. That for the period 1774 to 1778 rose by 31 per cent to approximately 378,700 pounds.¹⁸ If we look at the islands individually, cocoa exports from Grenada to England made only slender gains after 1769. These increased from approximately 2,340 cwts in 1769 to 2,660 cwts in 1775. Coffee exports, on the other hand rose significantly by an uneven rate during the same period, almost doubling in six years - from 12,400 cwts in 1769 to 24,000 cwts in 1775. Similarly, Grenada became the chief exporter of cotton to England, and except in 1775 and 1776, this trade was not seriously affected. The average annual quantity of Grenada sugar sent to England also showed an uneven upward trend between 1770 and 1775, but declined after that year. Rum exports, on the other hand, declined by almost fifty per cent between 1771 and 1774. Like the other British islands, Grenada exported only a very small portion of its rum to England. Most of it was bartered with the Americans for provisions and lumber.¹⁹

St. Vincent also produced large quantities of cocoa, coffee, sugar and rum. For example, the annual

¹⁷Augier *et al.*, *The West Indies*, p. 119.

¹⁸Ragatz, *The Planter Class*, p. 40.

¹⁹See Appendix A, Table 7.

production of coffee from St. Vincent and Grenada totalled approximately 1,605,000 pounds in the first five years after cession to Britain. Between 1774 and 1778, this increased by roughly 76 per cent to 2,826,560 pounds.²⁰ Though the last figures seem high, the islands might have done even better in the second period if there had been no war between Britain and the American colonies, but more will be said of the economic effect of this conflict in later chapters. The St. Vincent statistics for the period 1769 to 1779 also show an increased exportation of all commodities, especially sugar, rum and cotton before 1776, after which the decline in all exports, except rum, is sizeable and continuous until 1779 when the colony was captured by the French.²¹ Before 1766 no sugar was exported from St. Vincent, and its production therefore began with the colony's development by the British.

Dominica and Tobago experienced similar economic growth. When Tobago was acquired, it was uncultivated. The island was therefore planted in sugar cane, and as a result it experienced a prodigious development before it was captured by the French during the American War. In 1771 there were 22 sugar works; in 1773 these had risen to 50 with 103 settled or nearly settled estates, and in 1775 there were 84 sugar works - 23 windmills, 9 water and 52 cattle mills.²² Most of the animals used

²⁰Ragatz, *The Planter Class*, p. 40.

²¹See Appendix A, Table 8.

²²Noel Deerr, *The History of Sugar* (London, 1949), Vol. I, p. 178.

to operate the mills came from America. The increase in sugar production, from 1,660 cwts in 1770 to over 50,000 cwts in 1775, was the most phenomenal part of the island's economic development.²³ Cotton cultivation had also increased significantly between 1770 and 1775, but did not reach its peak until during the American War. Such a dramatic growth rate, however, was not achieved without a great deal of sacrifice by the planters, as well as the black population. One contemporary merchant summed it up this way: 'to be a planter is to be little better than a slave, the best part of one's life....'²⁴

The economic development of Dominica, though paralleling that of the other ceded islands, was restricted by the passage of the Free Port Act of 1766 by which Roseau and Prince Rupert Bay, as free ports, were allowed to import sugar, coffee, rum, pimento, ginger and tobacco.²⁵ All imports into Britain from Dominica, except sugar and rum when certified to be local products, were charged the same duties as foreign products brought in for domestic consumption.²⁶ Yet, exports of British grown coffee increased quite markedly,

²³See Appendix A, Table 9.

²⁴Thomas Ruddach to Charles Steuart, late Surveyor-General of Customs in North America, 6 April, 1774. Charles Steuart Papers. National Library of Scotland MSS. 5,028, fo. 181d (hereafter cited as N.L.S. MSS.).

²⁵Frances Armytage, *The Free Port System in the British West Indies: A Study in Commercial Policy, 1766-1822* (London, 1953), p. 42.

²⁶Ragatz, *The Planter Class*, p. 41.

though unevenly, between 1770 and 1776. Sugar production on the other hand, advanced by thirty-five times between 1769 and 1774.²⁷ In 1773 there were 41 sugar works, and 84 in 1775. As in Tobago, most of these were drawn by cattle, horses and oxen imported from North America.²⁸

In the older islands - namely Barbados, Jamaica, and the Leeward Islands (Antigua, Nevis, Montserrat and St. Kitts²⁹) - sugar production varied yearly, and depended on several factors such as weather conditions, labour and food supplies, as well as the fertility of the soil. The increased consumption of coffee and tea in Britain and Europe acted as a catalyst in motivating the planters to produce more sugar to meet the growing demands. Production in those islands, with the exception of Jamaica, thus increased under a system of monoculture,³⁰ and provided the colonies with a staple product during the seventeenth and most of the eighteenth centuries.³¹

But Barbados, one of the chief sugar producing islands during this period, had begun to decline by the beginning of the seventeen-seventies, mainly as a result of unfavourable weather conditions for many

²⁷See Appendix A, Table 10.

²⁸Deerr, *History of Sugar*, Vol. I, p. 177.

²⁹This island is also known as St. Christopher, but St. Kitts will be used in this text.

³⁰Richard Sheridan, 'The Rise of a Colonial Gentry: A Case Study of Antigua 1730-1775'. *Ec. H.R.*, 2nd series, Vol. XIII, No. 3 (1961), p. 343.

³¹D.A. Farnie, 'The Commercial Empire of the Atlantic, 1617-1783'. *Ibid.*, 2nd series, Vol. XV, No. 2 (1962), p. 209.

years.³² Because of the need for increased exports, more and more slaves, cattle, horses and other plantation necessities had been purchased to maintain the productivity of the estates. Consequently, very little land was allocated to the growth of provisions, and the planters became increasingly dependent on the mainland colonies. Yet, it does not seem from an examination of the statistics that the planters had achieved their objectives although sugar production was still the most important business. The downward trend of the island's trade worsened markedly during the American War.³³ Rum exports to England followed the same pattern as in the other islands.

Though the Barbados economy was on the decline in the 1770's because of the falling production of sugar, cotton exports rose moderately but steadily during the period. The cotton industry was becoming such an important feature of the island's economy that in 1779 Robert Hind's private bill 'to encourage Pearce Archer in his new projection of a Wind Mill for Ginning and Cleaning the seeds out of cotton' was unanimously passed by the Assembly after a thorough investigation of the new invention.³⁴ This predated the

³²Edward Hay to the Earl of Dartmouth, 31 August 1774. C.O. 28/55, fo. 76.

³³See Appendix A, Table 11. The downward trend of the island's economy as demonstrated by the figures will be discussed more fully in Chapters II and IV.

³⁴Journal of the Assembly of Barbados, 16 March 1779. C.O. 31/39 (hereafter cited as J.A.B.).

cotton-gin which was developed in America over a decade later, and which led to the extensive cultivation of cotton in the southern states. It is not quite clear how far the Barbados invention succeeded, but it indicates that the planters were aware of the urgent need to mechanise the cotton industry to reduce cost and boost production.

The decline of sugar production in Barbados was more marked than in any of the Leeward Islands. In Antigua, for example, after the increase of sugar exports from approximately 4,900 tons annually between 1711 and 1720, to over 9,000 tons annually between 1761 and 1770,³⁵ there was no significant increase in production between 1770 and 1773.³⁶ After that year, however, in Antigua sugar production recovered from the slump, and in 1774 and 1775 over 230,000 cwts of sugar were sent to England.³⁷ The annual production of sugar in Montserrat and Nevis, on the other hand, changed very little, averaging about 4,000 hogsheads annually from 1770 to 1775.³⁸

St. Kitts, called 'the garden of the West Indies'³⁹ because of the fertility of its volcanic soil,

³⁵ Sheridan, 'The Rise of a Colonial Gentry'. *Ec. H. R.*, Vol. XIII (1961), p. 343.

³⁶ 'Queries and Answers', 26 June 1774. C.O. 152/54, fo. 64.

³⁷ See Appendix A, Table 12.

³⁸ 'Queries and Answers, 26 June 1774. C.O. 152/54, fo. 66d.

³⁹ Sheridan, 'An Era of West Indian Prosperity'. Hall, Goveia and Augier, ed., *Chapters in Caribbean History*, p. 84.

increased its production of sugar annually until 1783, exporting an average of 13,000 hogsheads of sugar yearly;⁴⁰ but as in the case of the other islands, its rum was bartered with the Americans for provisions and lumber. On the whole, the average annual sugar exports from the Leeward Islands to England rose during the five years preceding the outbreak of the American War.⁴¹ For example, the crops they had made in 1774 had 'surpassed the expectations of the Planters', wrote the Governor, Sir Ralph Payne.⁴²

It is somewhat surprising that the West Indian planters maintained so high a level of sugar production in an age when very little reclaiming of agricultural land was done, when no adequate fertilising methods were known, when few managers knew how to prepare adequate compost for their estates, and when the normal tendency in America, probably not so prevalent in the West Indies, was to work an area of land to the bone, and then move to new land. In the older islands, every effort was made to manure the land, thus remedying the effects of over-planting. Cattle and other animals were kept on many estates as a means of supplying manure. The efforts and achievements of the Barbados planters

⁴⁰Minutes of the Society of West India Merchants and Planters' First series, vol. I (1769-1779), fos. 9, 18, 28, 47, 61, 76, 85, 115, 147, 174; second series, Vol. II (1779-1783), fos. 30, 58d, 92d, 112d (hereafter cited as Minutes of the West India Merchants); see Appendix A, Table 13.

⁴¹Sir Ralph Payne to the Earl of Dartmouth, 17 December 1773. C.O. 152/54, fo. 14.

⁴²Payne to Dartmouth, 15 October 1774. *Ibid.*, fos. 103d-104.

in manuring the land, thus keeping it fertile enough to make sugar production a profitable business for over a century, were praised by Edward Long, planter, historian and judge of the Vice-Admiralty Court of Jamaica.⁴³

In contrast to the general rule of monoculture in the older colonies, the economy of Jamaica was more diversified, though there was a tendency after 1763 to make sugar the single staple providing the largest part of the island's wealth.⁴⁴ But minor staples such as cocoa, coffee, indigo, pimento, cotton and ginger were also grown, while large tracts of land in the interior were cleared and opened for pasturage and provisions. Cattle pens were established as parts of some sugar estates, or by estate managers, as a side business.⁴⁵ In most cases, the pens were very profitable, and most owners made sizeable returns, as there were little overhead costs. For example, William Smalling, manager of Sir Joseph Foster Barham's Jamaica estate made over £2,400 profit in nine months, while increasing his herd of cattle. Small sugar estates with pens were paying for themselves in 'five years'.⁴⁶ In 1773 there were 500 pens occupying approximately 100 acres each.⁴⁷

⁴³Long, 'History of Jamaica', Vol. I. Add. MSS. 12,404, fo. 348.

⁴⁴Ragatz, *The Planter Class*, p. 38.

⁴⁵Sheridan, 'The Wealth of Jamaica in the Eighteenth Century'. *Ec.H.R.*, Vol. XVIII (1965), p. 303; Sir Archibald Campbell, 'Memoir of Jamaica' (1782). King's MSS. 214, fos. 6-6d.

⁴⁶William Smalling to Sir Joseph Foster Barham, 14 November 1775. Barham Papers: Bodl. MSS. Clarendon Dep. C. 357, Bund. 1.

⁴⁷Long, 'History of Jamaica', Vol. I. Add. MSS. 12,404, fos. 379-379d.

Between 1776 and 1782 the cattle industry had made significant gains, and the number was estimated at over 224,000 in 1782.⁴⁸

Similarly, Jamaica coffee production, although restricted by the excessive duty charged on its importation into Britain,⁴⁹ increased between 1769 and 1775. One of the main factors responsible for this increase was the encouragement given to the planters by the Jamaica Assembly which aided them in improving the quality of their beans - equal to that of Mocha coffee. Beginning in 1773, the Assembly gave cash awards to planters who produced a high grade of beans. These were increased in the following year, from £100 to £150 for the best sample, from £50 to £100 for the second, and a third prize of £50 was added. Each planter submitting samples was required to give detailed accounts of the type of soil in which the trees were grown, the time at which the ripened beans were picked, and the method used in curing them. This information was published in the local newspapers, and the best samples were sent to England for further evaluation.⁵⁰

The House agreed in 1775 to extend the awards to find a new method of curing the beans. A bounty of £20

⁴⁸Campbell, 'Memoir of Jamaica'. King's MSS. 214, fos. 6-6d.

⁴⁹Ragatz, *The Planter Class*, p. 42.

⁵⁰Journal of the Assembly of Jamaica, 21 December 1774. C.O. 140/46, p. 563 (hereafter cited as J.A.J.): J.A.J., 1 November 1775. *Ibid.* p. 575; 'Proceedings of the House of Assembly of Jamaica in the Sugar and Slave Trade', 8 November 1792. Add. MSS. 12,432, fo. 13.

was therefore allocated for anyone who made a special mat which allowed the air to circulate freely through the beans, thereby causing the total evaporation of all moisture while enabling them to retain their flavour.⁵¹ A record twenty-five samples were submitted in 1776, but the bounty system was not wholly successful. The planters were unable to capture the British market, although they doubled coffee exports between 1770 and 1775.

Though the production of minor staples contributed to the wealth of Jamaica, the years after 1763 witnessed a considerable expansion of Jamaica's sugar production which accounted for 76 per cent, and rum 13 per cent of the colony's total exports to England in 1770.⁵² Among the indicators of a healthy sugar economy, as illustrated by Richard Sheridan, were the increased importation of slaves, the rise in commodity exports, the growth in the number of patented and cultivated areas, and the steady increase in property values. The number of sugar estates increased from 440 in 1741 to 745 in 1775, and to 1,061 in 1782, meanwhile the value of the average plantation rose from £7,956 to £19,502.⁵³ Moreover, because of Jamaica's healthy economy, in the

⁵¹J.A.J., 21 December 1775. C.O. 140/46, pp. 625-626.

⁵²Sheridan, 'Development of the Plantations to 1750.' Hall, Goveia and Augier, eds., *Chapters in Caribbean History*, p. 47.

⁵³For the increased importation of slaves, see footnote 9. Sheridan, 'The Wealth of Jamaica in the Eighteenth Century' *Ec. H.R.*, Vol. XVIII (1965), p. 302; see Campbell, 'Memoir of Jamaica', 1782. King's MSS. 214, fos. 6-6d.

'seventies the island was producing more and more of its own provision needs in response to increased cane cultivation, as well as a larger black population to feed. It is estimated that there were about 6,000 provision gardens throughout the island in 1774.⁵⁴

Only a part of West Indian products were ever sent to Britain during any given year. Some of the minor staples, and most of the rum, were exported to the American colonies. In the case of the year's crop of sugar, the best quality was sent to London; another portion was sold to the Americans, and a third part, the worst sugar, was refined and sold in the islands to help pay the estates' contingent expenses.⁵⁵ Some managers even sold the greater part of their crops locally when prices were better than in England.⁵⁶ In 1775 the firm of Thomas Hubbert and Nephews which managed the Spring Plantation estate in Jamaica, belonging to Sir John Smyth of Bristol, sold locally over two-thirds of the crop of approximately 60 hogsheads of sugar at £18 sterling each. The price on the London market was only £12 sterling each.⁵⁷ There were many advantages accruing to the estates from selling

⁵⁴See Long, 'History of Jamaica', Vol. I. Add MSS. 12,404, fos. 379-379d; also see Appendix A, Table 14.

⁵⁵John Van Keelen to John Foster Barham, 4 June 1781. Barham Papers: Bodl. MSS. Clarendon Dep. C. 357, Bund. 1.

⁵⁶Thomas Hubbert to Sir John Hugh Smyth, 1 September 1774. Woolnough Papers: Ashton Court Collection, AC/WO 16 (27), 89-101.

⁵⁷Hubbert & Nephews to Smyth, 16 May 1775. *Ibid.*

sugar locally. Savings were made on freight, insurance, port charges, agents' commissions, and duties in Britain.⁵⁸ This practice became even more prevalent during the American War when the high costs of all charges to Britain greatly reduced the planters' profits.⁵⁹ Consequently, the islands' total production of each commodity would be greater than the statistics showing exports to Britain would indicate.

Therefore, in spite of 'sixteen years of warfare, a great storm in 1744 and a slave rebellion of some magnitude in Jamaica in 1760, the thirty-five years from 1741 to 1775 witnessed'⁶⁰ a significant, although uneven expansion of the West Indian sugar economy. There has been much debate⁶¹ and confusion in determining the balance of trade between Britain and the West Indian colonies. Some of the reasons for this difficulty have been discussed; but another problem, however, stemmed from the practice of valuing the imports and exports in the custom-house ledgers in official rather than market values.⁶²

⁵⁸Dalhousie and Stephens to John Hugh Smyth, 30 April 1777. *Ibid.*

⁵⁹Dalhousie and Stephens to Smyth, 24 July 1779. *Ibid.*

⁶⁰Sheridan, 'The Wealth of Jamaica in the Eighteenth Century', *Ec. H.R.*, Vol. XVIII (1965), p. 296.

⁶¹See Sheridan, 'The Wealth of Jamaica in the Eighteenth Century', *Ec. H.R.*, Vol. XVIII (1965), pp. 292-303; Sheridan, 'The Wealth of Jamaica in the Eighteenth Century: A Rejoinder', *Ec. H.R.*, Vol. XXI (1968), pp. 46-61; Robert Paul Thomas, 'The Sugar Colonies of the Old Empire. Profit or Loss for Great Britain'. Vol. XXI (1968), pp. 30-35.

⁶²Sheridan, 'The Wealth of Jamaica in the Eighteenth Century', *Ec. H.R.*, Vol. XVIII (1965), p. 303.

The available statistics giving the values of exports from, and imports into, Britain from the colonies would seem to indicate that the balance of trade was in favour of the commodity producing areas. For example, for the seven years from 1769 to 1775, the total value of imports from Britain into the sugar colonies was approximately £9,768,300 with an annual average of £1,395,470. On the other hand, the exports from the West Indies to Britain totalled over £21,006,290 or an annual average of more than £3,000,000.⁶³ Though, on paper, the balance was in the islands' favour, they received no cash payments from the British merchants, but often had to send specie to make up their annual payments. To assess the balance of trade on the official figures only would be to exclude port and freight charges, as well as the invisible earnings of the British merchants and underwriters, which included such expenses as interests on loans, insurance on goods shipped to London, and properties in the West Indies, commission to factors, and allowances for the planters' children educated in Britain.

Consequently, many of the planters were perennially indebted to the British merchants. Their accounts were constantly overdrawn, and the exports in one year went to pay the previous year's debts.⁶⁴ The result of the working of this system was a loss of specie from the

⁶³See Appendix A, Table 15.

⁶⁴Long, 'History of Jamaica', Vol. 1. Add. MSS. 12,404, fo. 433.

colonies, and the show of wealth among many planters was deceptive. Consequently, although comprising only a small part of the British Empire, the West Indian islands attracted large capital investments before the American War.⁶⁵ In the new colonies, such as Grenada, many planters used their loans to purchase the estates of the departing French proprietors, on condition that all their produce would be sent directly to their creditors. The planters were thus forced by the conditions of their mortgages to depend entirely on their London creditors, and as they were 'tied' to one merchant, they lost both the choice of their agents, and the market: 'Thus tho' the Island was rich, the individual was poor', wrote Lord Macartney, Governor of Grenada.⁶⁶

At the beginning of the 'seventies, the planters also had to contend with other problems which resulted from the closed system of financing the development of the islands. Of immense significance to the British West Indies was the failure of the banks in 1772, which began in London spreading to Scotland and Europe.⁶⁷ The ensuing panic greatly distressed the West Indian planters, and land speculators, especially in Jamaica and the ceded islands. The London merchants called in

⁶⁵Richard Sheridan, 'The British Credit Crisis of 1772 and the American Colonies'. *Journal of Economic History*, Vol. No. 2 (June, 1960), p. 165 (hereafter cited as *J.E.H.*).

⁶⁶Lord Macartney to Lord Germain, 30 June 1776. C.O. 101/20, fo.29d.

⁶⁷Sheridan, 'The British Credit Crisis', *J.E.H.*, Vol. XV (1960), p. 162.

all outstanding debts, causing distrust and loss of confidence throughout the islands.⁶⁸ The coffee producers of Dominica suffered severely from the crisis,⁶⁹ which forced the planters to rely even more on the British merchants.⁷⁰ To relieve the sugar colonies Parliament passed an Act in 1773 permitting foreigners, chiefly the Dutch, to lend the colonists money on the security of their estates.⁷¹ This was only the second time that the British government had allowed outsiders to participate in the commerce or development of her colonies.

The first was the creation of free ports in Jamaica and Dominica in 1766, for trade with the neighbouring foreign colonies. The two ports in Dominica were permitted to export British manufactures, Irish and North American provisions and slaves to Martinique and Guadeloupe in single-decked French vessels, in exchange for all kinds of foreign tropical products and bullion. The four ports in Jamaica - Kingston, Savannah La Mar, Montego Bay and Santa Lucea - were prevented from receiving any tropical product from the foreign colonies. Instead, they were allowed to trade Negroes

⁶⁸A. Henderson, Collector of Customs at Roseau, to Governor Leyborne, 27 November 1773. C.O. 71/4, fo. 96.

⁶⁹Address of the Assembly of Grenada to the King, 2 November 1773 C.O. 71/6, fos. 52d-53.

⁷⁰Governor Thomas Shirley to the Earl of Dartmouth, 3 March 1775. C.O. 71/5, fos. 20d-21.

⁷¹Sheridan, 'The British Credit Crisis'. *J.E.H.*, Vol. XV (1960), pp. 172-173.

and British manufactures for cattle, horses and bullion. All six ports were prohibited from importing any foreign manufactures.⁷²

Although foreign ships were allowed to enter the free ports, this was not a significant departure from the principles of British mercantilism. The articles that were allowed into the islands did not compete with British goods, and exports were restricted to British manufactures and slaves.⁷³ To meet the cost of operating the ports, duties⁷⁴ were placed on all imports into Dominica, and when these goods were carried into Britain for domestic consumption, extra charges were placed on them. An impost of £1.10s was also charged on slaves imported into Dominica, and those exported from Jamaica in foreign ships.⁷⁵ To evade the tax, however, new slaves were seldom landed in Dominica, but were transferred to foreign ships at sea; while in Jamaica, Negroes were clandestinely exported in foreign ships.⁷⁶

Although the establishment of free ports in

⁷²Armytage, *The Free Port System*, p. 42; 'Queries with Answer, 1774. C.O. 137/70, fos. 87-87d; 'The State of Dominica', 24 December 1773. C.O. 71/4, fo. 73d.

⁷³Armytage, *The Free Port System*, pp. 1-2.

⁷⁴The charges were 6d. sterling per barrel of beef, and pork, a firkin of butter, and per cwt of sugar and coffee; 2 s. sterling per cwt of cocoa.

⁷⁵6 Geo. III C. 49.

⁷⁶Thomas Irving, 'To His Right Honourable the Lords of the Committee of His Majesty's Privy Council for Considering of Matters of Trade and Plantations', 1784. Add. MSS. 38,345, fo. 209d (hereafter cited as Irving's Report to the Privy Council for Trade).

Dominica brought some benefit to the island, there were also many complaints against several of the regulations.⁷⁷ In 1773 the legislature sent a petition to London stressing the benefit to the colony if the Act were amended to prevent a clash of interests between the planters and merchants over the duties on slaves, beef, pork and butter, the costs of which were borne by the planters and not the foreign traders on which they were expected to fall. Furthermore, the planters bringing in slaves from the neighbouring British islands to work in Dominica were incensed with paying the same duty as on new Negroes. Likewise, they opposed paying the same taxes on coffee and cocoa grown in Dominica, as those charged on foreign products when imported into Britain for domestic consumption.⁷⁸

Jamaica was strategically placed for trade with the Spanish colonies. Before 1766 the lucrative illegal trade was chiefly carried on by smugglers in contravention of Spanish, and even British, commercial laws.⁷⁹ It has been estimated that the Jamaican merchants received over £150,000 currency annually for selling British manufactures and slaves to the Spanish colonists. Except for a small quantity of rum sent to the Spanish mainland in exchange for mules, no Jamaica produce was

⁷⁷Armytage, *The Free Port System*, pp. 43-44.

⁷⁸'A Memorial of the Commander in Chief, Council and Assembly of Dominica' to Lords North and Dartmouth, 6 March 1773. C.O. 71/4, fos. 2-5.

⁷⁹Armytage, *The Free Port System*, p. 13.

used in the trade. However, after the passage of the Free Port Act, the foreign commerce declined despite large sums of money sent periodically to Jamaica by the Royal Asiento Company of Havana to purchase slaves.⁸⁰

Because of the loss of the trade, Lieutenant-Governor John Dalling undertook an investigation to determine 'the true causes of the declension in an intercourse, which had been so beneficial to the island, and to discover the most effectual means of restoring it'. Dalling was surprised by his findings which differed markedly from those he had envisaged at first. Though the creation of the free ports had angered the Spanish authorities in Madrid who now appointed new *guardas costas* at Porto Rico and Cuba to replace the old ones corrupted by the illegal traders, Dalling found that it was 'the perversion of the original institution' which had obstructed the effective working of the ports.⁸¹ To prevent Spanish vessels from entering the ports, the authorities furnished them with registers which could only be opened by the designated authorities at the vessels' ports of destination. Yet, in spite of this, the profitability of the trade was worth the risk,⁸² and brought a partial revival of the lucrative commerce.

But the main obstacle to its complete restoration

⁸⁰ Edward Long, 'Notes for the History of Jamaica (no date). Add. MSS. 12,411, fos. 25-25d, 43d.

⁸¹ 'Tract on the Spanish Trade' in John Dalling to the Earl of Dartmouth, 11 April 1773. C.O. 137/68, fos. 63-64.

⁸² Armytage, *The Free Port System*, p. 13.

was an order sent by the Commissioners of the Customs to the collectors at the free ports in Jamaica to keep regular and detailed accounts of the entry of all foreign vessels and the amount of money they had brought. The Spanish captains who complied with the regulations were nevertheless afraid that their names would be obtained from the customhouse in London, subjecting them to severe punishment for importing bullion into Jamaica.⁸³ Dalling's report was sent to London with a strong recommendation for the abolition of the instruction, and to allow Spanish traders to go without hindrance to the free ports.⁸⁴ In April 1774 the Earl of Dartmouth, Secretary of State for the Colonies, directed the new Governor Sir Basil Keith to instruct the naval officer at Kingston not to include Spanish ships on his books.⁸⁵

Nevertheless, the planned renewal of the Free Port Act in 1773 met with mixed reaction in the British West Indies. Many of the small sugar producers and coffee planters, who opposed their creation from the very beginning, were now up in arms about the Act's renewal. They petitioned Lord Dartmouth for the closure of the ports which had become the centres for smuggling French products into Jamaica.⁸⁶ Meanwhile, in England the

⁸³*Ibid.*, pp. 48-49.

⁸⁴'Tract on the Spanish Trade', 1773. C.O. 137/68, fos. 67-67d.

⁸⁵The Earl of Dartmouth to Sir Basil Keith, 6 April 1774. C.O. 137/69, fos. 114-114d.

⁸⁶Address of the Coffee Planters of Jamaica to the Earl of Dartmouth (1773). C.O. 137/68, fo. 83.

London Society of West Indian Merchants appointed a sub-committee to lobby Members of Parliament in support of the renewal of the Free Port Act. The merchants and planters of Dominica also favoured the measure, but with changes.⁸⁷ By the Free Port Act of 1773, the ports in Dominica were to be continued until November 1780, while those in Jamaica were to operate for one year.⁸⁸ In February of the following year, however, a committee of the House of Commons recommended the extension of the free ports in Jamaica.⁸⁹ By the provisions of the Act of 1773, Dominican sugar, coffee and cocoa were permitted to enter Britain on certification that they were British plantation grown. The duty on slaves imported into Dominica, or exported from Jamaica, was reduced to 2s.6d. each.⁹⁰

The decline of the Spanish trade also meant the loss of specie in circulation in Jamaica. Of the money carried there, the largest portion was sent to England to make up the island's trade deficit. Part of the remainder was put into circulation, while yet another part was advanced to the planters by the Kingston merchants on the credit of their crops. This portion was used to purchase mules and cattle, to pay legal fees, to buy groceries for their own use, to settle small

⁸⁷Armytage, *The Free Port System*, p. 45; Irving's Report to the Privy Council for Trade. Add. MSS. 38,345, fo. 209d.

⁸⁸13 Geo. III C. 73

⁸⁹Armytage, *The Free Port System*, p. 50.

⁹⁰23 Geo. III C. 73.

debts and quarterly taxes, and to purchase bills of exchange which were either given to the Americans, or sent to England to pay for the manufactures used in the Spanish trade.⁹¹ On the whole, the free port trade fitted neatly into British mercantilist policy - no inroads affecting the consumption of British manufactures were made by either the French or Spaniards. The volume of British shipping was not reduced and thus Britain's commerce with her colonies was not adversely affected.

The trade between Britain and the West Indian colonies was carried on mainly in ships owned, and manned by British seamen. The number of ships employed annually, increased or decreased in proportion to the size of the islands' crops.⁹² The principal London West Indian merchants engaged in commerce with the colonies were also shipowners, and often sent out their own ships freighted with British manufactures to the islands for sugar and rum during the eighteenth century.⁹³ These double-decked ships averaging from 200 to 250 tons were commonly called 'stationed ships', because they were assigned to the sugar trade only and very seldom went out of their course. Also employed in British-West Indian commerce were single-decked ships ranging from 80 to 100 tons burden, and

⁹¹Long, 'Notes for the History of Jamaica'. Add. MSS. 12,411, fos. 43d-45.

⁹²'Queries with Answers', 1774. C.O. 137/70, fos. 89d-90; 'Answers to Queries', 26 June 1774. C.O. 152/54, fo. 64.

⁹³Ralph Davis, *The Rise of the English Shipping Industry. In the Seventeenth and Eighteenth Centuries* (London, 1962), pp. 272-273.

known as 'seekers' or 'transient vessels' which were not committed to any single pattern of trade. Their movements were flexible, and they were free to ply between the islands, as well as between the West Indies and the American colonies. Some left England in ballast for the Caribbean on the chance of procuring freight. Others were slavers which sold their cargoes in the West Indies, after which they sought a freight of sugar for Britain; but in most cases they were unsuccessful, because the planters were already committed.⁹⁴

In a few instances, however, the 'seekers' were involved in the intercolonial trade. On some occasions, those which were promised freight were loaded with sufficient sugar and rum to pay for a cargo of lumber and provisions in North America. These vessels would leave their supercargoes on the islands and then return: the others found freight in America for Britain; but only a few 'seekers' were involved in this trade and these went chiefly to Georgia and the Carolinas. A few wealthy absentee planters also occasionally sent their ships directly from England to America for lumber and provisions, and then to the West Indies where they were freighted with sugar and rum. These annual vessels were unprofitable, and were an unreliable source of supplies for the plantations.⁹⁵ The only ships which were likely

⁹⁴Minutes of the Committee of Privy Council, appointed for all Matter relating to Trade and Foreign Plantations', 11 March 1784. B.T. 5/1, fo. 20 (hereafter cited as Minutes of the Privy Council for Trade).

⁹⁵*Ibid.*, fos. 33-33d, 56.

to profit from the circuitous trade were the 'seekers', but their unreliability, as well as the difficulty of insuring goods in them discouraged their use. By the end of the eighteenth century, as Professor Ralph Davis writes, the structure of transport between Britain and the West Indies became more inflexible, even though the 'seekers' continued to go out to the islands with no commitments for freight.⁹⁶

It was possible for the owners to do this, as the West Indian trade required a large quantity of shipping, and of course there was the inter-island business. More than four hundred ships with a registered burden of over 75,000 tons were employed in the British-West Indian trade in 1771.⁹⁷ Forty vessels went from Britain and Ireland to Dominica alone in 1773.⁹⁸ The number employed in the Jamaican trade with Britain in 1774 was estimated to be 233 with a total burden of 47,000 tons, and navigated by 3,700 men.⁹⁹ About 3 per cent of the ships used in British-West Indian trade belonged to Americans,¹⁰⁰ but these were used mainly when there were shortages. The American ships seen in large numbers in the islands were engaged in traffic with their own colonies.¹⁰¹

⁹⁶Davis, *The Rise of English Shipping*, p. 273.

⁹⁷See Table 15 in Appendix A.

⁹⁸'The State of Dominica', 24 December 1773. C.O. 71/4, fo. 73d.

⁹⁹'Queries with Answers', 1774. C.O. 137/70, fo. 90.

¹⁰⁰Edward Payne, Chairman of the Committee of Merchants trading to America, to William Fawkener, 14 November 1787. B.T. 6/20, fo. 272.

¹⁰¹Davis, *The Rise of English Shipping*, p. 281.

Because of the very nature of the West Indian economy, and by reason of the requirements of both areas, a large and profitable trade was bound to develop over the years before the American War. The factors which led to the rapid growth of commerce between Britain and the West Indies were similar to those contributing to the development of trade with the mainland colonies. The West Indian planters therefore found themselves uniquely placed between two markets which took their products to such an extent that at times the demand exceeded supply.

Yet, it was not as a market for West Indian products, except rum and other minor staples, that the American colonies were of inestimable value to the sugar islands. As the Caribbean colonies were dependent on an external market for provisions and lumber which were seldom brought from Britain and Ireland, the American-West Indian trade occupied a pivotal position in the economy of the British West Indies, and by the close of the American colonial period, its importance was immeasurable. This inter-colonial commerce offered such unlimited attractions to traders in America that even a series of great wars between the European colonial powers, in the seventeenth and eighteenth centuries, had made no significant impact on it, and therefore the weaknesses inherent in the West Indian monocultural slave economy never became apparent until the years of the American War.

The relationship which developed between the colonies was a symbiotic one. The farmers of the middle

colonies, the fishermen, the ship-owners of the New England colonies and the merchants of Boston, Philadelphia and New York depended on the West Indian trade which was instrumental in keeping the wheels of American commerce in constant motion.¹⁰² Exports from the mainland colonies to the West Indies came from a variety of ports along the eastern continental seaboard - from Canada and Newfoundland in the north to Georgia in the south. The most important industry of the northern colonies in the eighteenth century was fishing. Massachusetts alone had eight to nine hundred vessels of all descriptions employed in the cod, whale and mackerel fisheries. The best quality fish was exported directly to Europe. Some were carried to the West Indies for the planters. But the success of the American fishing industry depended upon the export of a large quantity of low grade pickled fish which was first taken to the British islands, and after the planters had taken their pick, the remainder was carried to the French colonies.

To carry on their trade, a large quantity of molasses, estimated at over 22,000 hogsheads, was distilled annually by about sixty-four companies. Some of the rum was consumed in Massachusetts, and the remainder was shipped to Newfoundland, Nova Scotia and Canada for their fisheries, to the southern colonies to purchase provisions, and to the African coast for slaves. Rhode

¹⁰²Richard Pares, *War and Trade in the West Indies 1739-1763* (London, 1963), p. 158; see Great Britain, Parliament. *The History of the Proceedings and Debates of the House of Commons* (London, 1775), p. 329.

Island also manufactured a considerable quantity of rum most of which was exported to Africa for slaves. Its domestic trade was mainly with the southern colonies to which molasses and rum were sent in exchange for bread, flour, corn, beef and pork for the West Indies. Nearly all the 12,000 hogsheads of molasses taken by Connecticut were consumed in that state, though a small portion was distilled into rum and shipped to Africa, Newfoundland and Nova Scotia in exchange for articles for its West Indian trade. That colony exported horses, cattle, sheep, beef, pork, Indian corn, bread, flour and lumber (mainly boards, masts and hoops).¹⁰³

New Hampshire which produced little of its own rum, imported a substantial quantity from the West Indies. New York, on the other hand, distilled about two-thirds of its importation of approximately 14,000 hogsheads of molasses; but as even this was insufficient for its domestic consumption, as well as for its export trade to Africa, Newfoundland and the southern colonies, it imported another quantity from the coastal trade. New York exported bread, flour, beef, pork, hams, and a small quantity of lumber (mainly boards, staves, and shingles) to the West Indies. Unlike the other colonies, New Jersey had very little direct trade of its own, and therefore most of its produce went to New York and Philadelphia for export, and it received its imports

¹⁰³ 'Remarks on the Trade of the different Governments on the Continent of North America' (no date). Add. MSS. 38,342, fos. 211-212d (hereafter cited as 'Remarks on the Trade on North America').

through those ports. Philadelphia imported a considerable quantity of British rum averaging about 735,000 gallons annually, as well as a small quantity from the coastal trade. In return, it sent bread, flour, beef, pork, corn and lumber to the sugar colonies.¹⁰⁴ Rum had thus become one of the chief articles of commerce in the inter-colonial trade,¹⁰⁵ and its use in almost every barter transaction continued until 1775, thus benefitting the sugar colonies where money was scarce but rum plentiful.¹⁰⁶

The remaining five southern colonies, Maryland, Virginia, North and South Carolina, and Georgia imported most of their rum and molasses for domestic consumption from the British West Indies. Like Maryland, Virginia exported tobacco, corn, pork, beef, flour and lumber (mainly boards, shingles and planks). In addition to these, North Carolina exported pitch, tar, turpentine, peas, and Indian corn. While South Carolina and Georgia sent the same products, they also exported beans, rice, wax, tallow and leather to the West Indies.¹⁰⁷

Although each American colony contributed to the needs of the West Indian Islands, the size of the

¹⁰⁴ *Ibid.*; Richard Pares, *Yankees and Creoles* (London, 1956), p. 27.

¹⁰⁵ Charles William Taussig, *Rum, Romance and Rebellion* (London, 1929), p. 69.

¹⁰⁶ Pares, *Yankees and Creoles*, pp. 121, 123.

¹⁰⁷ 'Remarks on the Trade of North America' (no date). Add. MSS. 38,342, fos. 213-213d; Herbert Bell, 'The West India Trade before the American Revolution', *The American Historical Review*, Vol. XXII (June, 1917), pp. 272-273 (hereafter cited as *A.H.R.*).

contribution varied. For example, between 1771 and 1773 the New England colonies exported an increasing quantity of fish, lumber, provisions, cattle, horses and oxen¹⁰⁸ which were in great demand in the islands for turning the rollers of cane-mills, for hauling sugar-cane from the fields, and for transporting sugar and other supplies from, and to, the wharves. The West Indian demand gave a new impetus to horse rearing in New England,¹⁰⁹ until the outbreak of the American War.¹¹⁰ A general examination of the statistics of imports from the mainland colonies into the British West Indies shows that most of the supplies came from New England which sent five-eighths of all the fish, approximately two-thirds of the lumber, half of the shingles, one-third of the staves, and nearly all the hoops. Then came Virginia, New York and Maryland.¹¹¹

The annual value in America of the goods sent to the West Indies for the years 1771 to 1773, was approximately £500,000 sterling. When the cost of freight estimated at £250,000 is added, the value of the

¹⁰⁸ 'An Account of the Total Quantities of Imports from North America to the British West India Islands, for three years past (1771-1773) distinguishing each year and from what Province' (no date). Add. MSS. 12,431, fo. 170 (hereafter cited as 'Account of Imports from North America'); see Appendix A, Table 16.

¹⁰⁹ Dean Phillips, 'Horse Raising in Colonial New England', *Cornell University Agricultural Experiment Station Memoir*: No. 54 (May, 1922), p. 889.

¹¹⁰ *Ibid.*, p. 915; see Appendix A, Table 16 for figures.

¹¹¹ 'Account of Imports from North America' (no date). Add. MSS. 12,431, fo. 170.

goods in West Indian ports was about £750,000.¹¹² The West Indian planters paid for American provisions and lumber mainly with their rum, sometimes with cash, or bills of exchange - but rum was the chief medium of exchange in the colonies. Lowell Ragatz claims that 'the sale, rather than barter', of 'American produce eventually drained the Caribbean colonies of specie'.¹¹³ This is not the case before 1775, though his conclusion seems applicable to the period after 1783.¹¹⁴

Rum exports to the continent increased annually between 1768 and 1774, except in 1771 and 1773; but the decline is small, and resulted from a loss of production. A similar trend was evident in exports from the Caribbean islands to Britain for the same years. This decline was also noticeable in sugar exports to America,¹¹⁵ and was probably caused by a reduction in production because of severe dry weather in the Caribbean area from 1769 to 1772, rather than a reluctance of the Americans to purchase from the British planters. After all, the colonists were very much aware that their economic destiny was inexorably linked.

Included in the commerce between the West Indies and the mainland colonies was the trade between Nova Scotia, Newfoundland and Canada, and the sugar colonies.

¹¹² Bell, 'The West India Trade before the Revolution', *A.H.R.*, Vol. XXII, p. 273.

¹¹³ Ragatz, *The Planter Class*, p. 89

¹¹⁴ Pares, *Yankees and Creoles*, pp. 40-41, 53.

¹¹⁵ See Appendix A, Table 17.

The pre-revolutionary trade which developed between these areas was small in relation to the planters' needs. For instance, the total quantity of lumber exported from Nova Scotia, Newfoundland and Canada was approximately one-three hundredth part of that from the thirteen colonies. The quantity of fish was slightly more; but even so, the loss of this trade would not have had any adverse effect on the planters, as happened when the commerce of the American colonies was prohibited at the beginning of 1776.¹¹⁶

The reasons for the failure of these new colonies to compete with their southern neighbours are quite clear. Canada, acquired by the British by the Treaty of Paris in 1763, was mainly a fur trading society. The white population, chiefly French speaking, was small and the new British subjects had very little economic or social ties with the British West Indian planters. Most of the agriculture carried on in Canada was done at subsistence level. In short, the economy of these colonies was not geared to compete with, or to replace that of the thirteen colonies. Even the Newfoundland and Nova Scotia fisheries were controlled, and supplied with provisions by the New England merchants. Commenting on this trade, Bryan Edwards, Jamaican planter and historian, wrote that

... of the 1208 cargoes of lumber and provisions imported from North America into the British sugar colonies in 1772, only

¹¹⁶See Appendix A, Table 16.

seven were from Canada and Nova Scotia; and that 701 top sail vessels, and 1681 sloops which were cleared outwards from North America to the British and foreign West Indies, only two of the top sail vessels and eleven of the sloops were from those provinces.¹¹⁷

Imports of sugar and rum into Canada, Newfoundland and Nova Scotia were also inconsiderable.¹¹⁸ By 1763 the New England merchants had monopolised the coasting traffic, and as the American carrying trade was controlled chiefly by the New Englanders, it was probably more profitable for the Canadian merchants to sell their produce to the New England traders rather than compete with them in markets in which they had virtually no experience.

During the period before the War of Independence, the Bermudians were the only colonists, other than the Americans, who were involved in the inter-colonial carrying trade. Because of the unproductiveness of that island, many Bermudians soon became expert ship-builders, taking full advantage of the cedar. Others erected salt works in the Bahamas, while some emigrated to the Turks Islands where they raked salt used by the Americans in making butter, and pickling fish, beef and pork. From Bermuda, the traders would go to one of the southern colonies or Virginia for corn; to Philadelphia or New York to sell salt for money with

¹¹⁷Bryan Edwards, *The History Civil and Commerical of the British Colonies in the West Indies* (London, 1784), Vol. II, p. 409; see Ragatz, *The Planter Class*, p. 88.

¹¹⁸See Appendix A, Table 18.

which they purchased flour, salted beef and pork, peas, candles and lumber. From America some returned home, while others went to the West Indies where they sold their cargoes for cash. Part of the money was used to purchase bills of exchange, and the remainder to buy West Indian products for the American market. The Bermudians also carried their excess poultry, cabbages and onions, as well as limestone which was in great demand as building material, to the sugar colonies, which they exchanged for tropical products. This trade which grew quite significantly after 1763 became an important branch of the illegal trade between the British West Indians and the rebels during the War.¹¹⁹

Two other groups of merchants - those resident in Britain, and British merchants resident in America - were also engaged in American colonial trade, but of these two groups, only the latter had any share in the carrying trade between the continent and the West Indies. The vessels used in this commerce were of varying sizes and types with brigs forming a majority, but schooners and snows were also employed in large numbers.¹²⁰ The size of the sloops ranged from 30 to 90 tons, while schooners averaged 50 tons.¹²¹ The

¹¹⁹ Wilfrid Kerr, *Bermuda and the American Revolution: 1760-1783* (Princeton, 1936), pp. 3-5; see Chapter III for a discussion on illegal trade during the American War.

¹²⁰ Bell, 'The West India Trade before the American Revolution', *A.H.R.*, vol. XXII, p. 278.

¹²¹ Minutes of the Committee of the Privy Council for Trade, 20 March 1784. B.T. 5/1, fo. 27d.

majority of vessels contained only single decks suitable for carrying lumber and bulky commodities.¹²² The sizes of the vessels were of advantage to eighteenth century American traders who sailed from port to port along the entire eastern coast of America 'over Shallows and Bars which no vessels of large burthen could pass', bartering goods for the West Indian market.¹²³

As the outward-bound cargoes from the thirteen colonies were bulky, they employed a large amount of shipping. In his evidence before the Committee of the Privy Council for Trade in April 1784, Thomas Irving, former Inspector-General of Customs in America, estimated that about 533 vessels consisting of approximately 38,000 tons, and navigated by 3,339 men, were used in American-West Indian pre-revolutionary commerce, making on the average three round trips annually. It was on this computation that Irving argued vehemently against the use of United States ships in the West Indian trade after 1784. Other American vessels totalling about 266 with a burden of slightly under 20,000 tons transported mules from the foreign islands, slaves from the coast of Africa, logwood and other dye-woods from Honduras, as well as in the inter-island trade among the British and foreign islands.¹²⁴

¹²² Edwards, *History of the West Indies*; Vol. II, p. 399.

¹²³ Long, 'History of Jamaica', Vol. I. Add. MSS. 12,404, fo. 402d.

¹²⁴ 'Minutes of the Privy Council for Trade', 16 April 1784. B.T. 5/1, fo. 82.

Of the total number of vessels engaged in the inter-colonial commerce, the American merchants owned about five-eighths, while the remainder belonged to British merchants resident in America.¹²⁵ Not only did the merchants living in Britain disappear from the trade, but the West Indians had virtually no share of it.¹²⁶ This monopoly of the carrying business had worried many Englishmen. Josiah Tucker expressed the fears of many when he wrote that if the American War had not occurred, the colonists would have engrossed not only the inter-colonial trade, but also that between Britain and the West Indies.¹²⁷ This was unlikely, but his fears were probably based on the large numbers of plantation-built vessels used in British shipping.

In the domestic commerce of North America, tropical products were used as payment between one colony and the other. Since the West Indian trade formed the nucleus of the coasting traffic, of the New England and Newfoundland fisheries, as well as American commerce with Britain, it provided for trade among the colonies. Merchants from Portsmouth and New Hampshire who needed any money would often send their vessels loaded with rum and molasses to Philadelphia, enabling them to

¹²⁵Payne to Fawkener, 14 November 1789. B.T. 6/20, fo. 272d.

¹²⁶Pares, *Yankees and Creoles*, p. 8.

¹²⁷Josiah Tucker, 'The State of the Nations in 1777, compared with the State of the Nation in, the famous Year of Conquest and Glory of 1759', 1777. Bristol Public Library: Jefferies Collections of MSS.: Vol. VIII, fo. 87.

purchase flour and bread.¹²⁸ Vessels employed in the New England fisheries during the summer months were freighted with cargoes of dried fish, rum, molasses and household furniture, and sent to the Carolinas and Georgia where they exchanged their cargoes for corn, rice, lumber and other southern products. Some of these merchantmen then sailed directly to the sugar colonies: others returned to the northern colonies where the owners assembled assorted cargoes for the West Indies.¹²⁹ In some cases, the captains of vessels travelling from the Caribbean colonies might exchange some of their cargoes in the southern and middle colonies for lumber and provisions, then proceed to the northern colonies with molasses to be distilled into rum for the Newfoundland fisheries, or return to the middle and southern colonies to purchase more local products for the West Indies.¹³⁰

Consequently, the monopoly of the West Indian trade stimulated the American shipping industry, centred in New England where about 301 sloops and schooners measuring approximately 13,160 tons were constructed annually, and employed in the several branches of the colonial trade. Another 137 square-rigged vessels, mainly ships, scows and brigs containing about 18,000 tons were also built on account of some British merchants,

¹²⁸Pares, *Yankees and Creoles*, p. 148.

¹²⁹'Minutes of the Committee of the Privy Council for Trade', 16 April 1784. B.T. 5/1, fos. 52-52d.

¹³⁰Pares, *Yankees and Creoles*, pp. 46-47.

or to be remitted to others for debt.¹³¹ These last vessels were freighted with American produce for the Caribbean islands where they discharged their cargoes, and received sugar and rum for Britain. This was a profitable branch of commerce, and was an important link between America, the West Indies, and Britain.¹³²

The purpose of this chapter has been to clarify certain issues and to outline the basic trade links which were needed to keep the West Indian economy afloat. By 1775 the American trade was fully interwoven with that of the sugar colonies, and together they formed part of a commercial system encompassing the new North American colonies, and the British and foreign West Indies. By supplying the sugar colonies with provisions and lumber, and taking off their excess products in return, the American colonists had contributed in maintaining a healthy sugar economy. Even if they received bills of exchange and cash as payment from the planters, these were not retained in America for any length of time, but were sent to Britain to pay debts, as the balance of trade between the northern colonies and Britain always favoured the latter.

Before 1776, very few middlemen were involved in West Indian-American commerce, and commodities could either be sold cheaply or bartered. Furthermore, because cheap and plentiful supplies of food and lumber were

¹³¹Payne to Fawkener, 14 November 1789. B.T. 6/20, fo. 270.

¹³²*Ibid.*, fo. 273.

sent to the West Indies, the planters were able to adopt a system of agriculture best suited to the profitable production of sugar. Land which would have been allocated to the growth of provisions could now be used for sugar-cane cultivation. Though the increase in sugar production had not been as encouraging in the older islands as in Jamaica and the ceded islands, there is very little evidence to indicate that West Indian economy, as a whole, was in any serious state of decline, if any at all, before 1776. In 1775 the islands had exported well over 100,000 hogsheads of sugar to Britain alone, and in the following year the value of West Indian exports was estimated at approximately four and a quarter million pounds.

The dispute between Britain and America after 1763 had very little effect on supplies reaching the sugar colonies, and they continued to receive the fundamental necessities of a plantation economy - labourers, cheap and plentiful supplies of food and building material - so much so that Long wrote:

The years 1774, 1775 & 1776 were remarkable for the greatest Importation that had ever come from our Islands, and at that period which ended at the commencement of the American war they may with truth be said to have obtained the highest point of Culture & Improvement, not that they were capable of, but that they had ever arrived at.¹³³

Any interference with the American trade was fraught with disastrous implications for the British West

¹³³Long, 'Collections for the History of Jamaica'. Add. MSS. 12,413, fo. 66.

Indies, because of the very nature of their economy and their dependence on external markets and suppliers.

CHAPTER II

BRITISH-WEST INDIAN TRADE DURING THE AMERICAN WAR

In the colonial era of the United States of America, the thirteen colonies and the West Indies developed a mutual trade and intercourse. Their reliance on each others' products was not only important to the economic development and prosperity of the colonies, but also enabled Britain to wage successful wars against France and Spain in the Caribbean and North America. During wartime, trade between Britain and the West Indies was never seriously affected, because of the strength of the British navy, and its ability to protect the trade. Some branches of British-West Indian commerce 'even prospered more than in peace'.¹ Similarly, previous wars in the Caribbean did not have any significant effect on American supplies carried to the sugar colonies, in small vessels which, by sailing close to the coast, were able to evade the warships of the enemy. During the American War, however, supplies reaching the islands were greatly reduced, mainly because it was an internal conflict between Britain and a group of her colonies, and because both

¹ Pares, *War and Trade*, p. 471; see also R.P. Crowhurst, 'British Oceanic Convoys in the Seven Years War, 1756-1763'. Unpublished Ph.D. Thesis (London, 1970), p. 70.

Britain and the rebellious colonies resorted to economic warfare to achieve their goals.

As the Caribbean colonies were partly dependent on America, any cessation of American-West Indian commerce meant severe hardships, and the possible destruction of the sugar economy. Apart from Jamaica and the newly acquired colonies, the islands were fully cultivated, had large slave populations and provided very little of their own food. Aware of this feature of the West Indian economy, the American colonists sought to exploit its weaknesses. Consequently, the representatives to the first Continental Congress held at Philadelphia in September 1774 placed the emphasis for achieving their constitutional goals on economic sanctions against Britain.

After drawing up a declaration of rights embodying their grievances, and denying Parliament the right to tax the colonies internally, the representatives from all the colonies, except Georgia, formed a 'continental association' by which they agreed to terminate all commercial relations with Britain until Parliament had repealed the 'Oppressive Acts'. At the end of September 1774 Congress unanimously passed a non-importation agreement - no goods, wares or merchandise from Britain or Ireland; no molasses, sugar, rum, coffee or pimento from anywhere were to be imported into the colonies.² A few days later, it adopted a non-exportation resolution

² Worthington Chauncery Ford, ed., *Journal of the Continental Congress* (Washington, 1904), Vol. I, p. 43.

stating that after 10 September 1775, no goods were to be exported to Britain, Ireland or the West Indies.³ Congress further recommended the non-importation of slaves, the abolition of the slave trade, and the termination of commercial intercourse with any country using slave labour,⁴ but these proposals encountered opposition from some members, as the interests of the colonists differed significantly. Some had a greater need for British commerce and slave labour than others, and desired to retain their old system.

The general belief held by many Americans, however, was that a total stoppage of all commerce with the sugar colonies would severely injure British trade, thus forcing the government to accede to their demands.⁵ But there were those who argued that an embargo on West Indian commerce would seriously injure the economies of the northern colonies, wiping out the revenues from rum production, and annihilating the thriving fishing industry, thus causing internal unrest.

The revolutionary element in Congress, on the other hand, favoured a complete break with Britain. The question of American-West Indian commerce was hotly

³ *Ibid.*, pp. 51-52.

⁴ *Ibid.*, p. 77.

⁵ 'Notes of Debates in the Continental Congress', 26-27 September 1774. John Adams, *The Adams Papers: Diary and Autobiography of John Adams*, ed. by L.H. Butterfield (Massachusetts, 1961), Vol. II, pp. 138-139.

⁶ John Adams, 'Notes on Debates', 6 October 1774. E.C. Burnett, ed., *Letters of the Members of the Continental Congress* (Washington, 1921), Vol. I, p. 64.

debated, judging from John Adams' correspondence. Adams, revolutionary leader who was to become the second President of the United States, was much concerned with the question of West Indian trade. In August 1774 he wrote in his diary: 'No one could tell. None could pretend to foresee the effect of a total Non-Exportation to the West Indies'.⁷ In a letter to William Tudor in October, Adams supported economic sanctions against Britain, opposing any military action. On this occasion, he wrote:

If it is a secret hope of many, as I suspect it is, that Congress will advise to offensive measures, they will be mistaken. I have had opportunities enough, both public and private to learn with certainty the decisive sentiments of the delegates and others upon this point. They will not, at this session, vote to raise money, or arms or ammunition. Their opinions are fixed against hostilities and rupture, except they should become absolutely necessary; and this necessity they do not yet see.⁸

Yet, in spite of the general mood of Congress, before the middle of 1775 the disputes between Britain and the thirteen colonies had very little impact on supplies reaching the West Indies. At the end of 1774, there was a final burst of activity, and food and lumber were sent to the islands in large quantities. John Pinney, planter, merchant, and Member of the Council of Nevis,⁹ who returned to that colony in

⁷Adams, *The Adams Papers*, ed., Butterfield; Vol. II, p. 101.

⁸John Adams to William Tudor, 7 October 1774. Burnett, ed., *Letters*, Vol. I, p. 65.

⁹For a study on the Pinney family see Richard Pares, *A West India Fortune* (London, 1950).

in February 1775, even cancelled his orders for staves and provisions left with the London merchant-house of Mills and Swanston.¹⁰ Pinney's optimism was short-lived. Reports reaching him from Philadelphia confirmed that the Americans would impose their non-exportation resolution if their grievances were not redressed, and although the islands were still well-furnished with supplies, Pinney now predicted a gloomy economic future for the planters.¹¹

The formation of 'associations', and the adoption of several resolutions prohibiting American commerce with the British West Indies had a mixed reception in the Caribbean. Some, mainly the Governors and other officials, felt that the hard-line policy adopted by Parliament would change the colonists' minds. Others viewed British policy with dismay, and as an attack upon the rights of the Americans; but both groups agreed that 'should these Combinations take Place, and their Result carried into Execution, the consequence could not but be fatal to every' British planter, 'as well as...all the insular colonies whose Welfare, and very Being' were 'inseparably connected' with American commerce.¹²

In Jamaica, for example, the Assembly led by the merchants sent a petition to the King at the end of 1774, championing the rights of the American colonists, and

¹⁰John Pinney to Mills and Swanston, 26 July 1775. Pinney Papers: Bristol University Library, Letter Book 4, p. 12.

¹¹John Pinney to John Hayne, 26 July 1775. *Ibid.*, p. 12.

¹²Sir Ralph Payne to the Earl of Dartmouth, 3 July 1774. C.O. 152/54, fo. 84.

beseeching him to reconcile the differences between his 'European and American subjects, and to consider the latter, however far removed from your royal presence, as equally entitled to your protection, and the benefits of the English constitution'.¹³ The political implications of the petition will be discussed in a later chapter.¹⁴ Other local Assemblies and Councils also voiced their fears of the possible ill effects of any further deterioration of Anglo-American relations.¹⁵

But in England, the West Indian interests did nothing until the beginning of 1775. Because of the increasing pace of events and the growing discontent of the North Americans with British rule, the Committee of West Indian Merchants held a meeting to consider the implications of any disruption of American-West Indian trade. A request from the absentee planters for a joint general meeting of 'the whole Body of Planters, & West India Merchants, to deliberate on the steps, necessary to be taken ... jointly, on the present important Crisis' was accepted. The Committee further agreed to adopt no resolutions as a separate body, but to join in a 'General Meeting of the Whole Body of Planters, and West India Merchants',¹⁶ which met at the London Tavern, Bishopgate Street, on 18 January,

¹³ J.A.J. C.O. 140/46, pp. 569-570.

¹⁴ See Chapter VI: Section on Jamaica.

¹⁵ David Makinson, *Barbados: A Study of North American West Indian Relations 1739-1789* (The Hague, 1964), pp. 89-90.

¹⁶ Minutes of the West India Merchants, 3 January 1775. vol. I, fos. 69-70.

marking the formation of a joint Committee (also called the Society of Merchants and Planters) which has remained one group ever since. The unity of the West India Committee, writes Professor Douglas Hall, 'resulted from a close succession of crises which endangered the interests of both planters and merchants',¹⁷ and which began with the American War of Independence.

A petition presented to the House of Commons by Richard Oliver, alderman of Billingsgate ward 1770-1778, Member of the House of Commons for the city of London 1770-1780, and an active supporter of John Wilkes, estimated that British property and stock held in the West Indies amounted to over £30,000,000 sterling. In addition, several more millions created by the islands' commerce were invested in trade with Africa, the East Indies and Europe. Since the islands were supplied by the American colonies, the merchants and planters requested Parliamentary assurance that if the inter-colonial trade were restricted, measures would be adopted to alleviate any setback to the islands' sugar economy, or 'the great national stock thus vested and employed must become unprofitable and precarious'.¹⁸ The petition was referred to a committee of the House of Commons appointed to consider American affairs, where it met the same fate of its predecessors from the London merchants, and Bristol.

¹⁷Douglas Hall, *A Brief History of the West India Committee* (Barbados, 1971), p. 4.

¹⁸Minutes of the West India Merchants, 7 February 1775. Vol. I, fos. 71-71A; Makinson, *Barbados*, pp. 89-90.

The Society also prepared a pamphlet in which it argued that any interference with the established system of West Indian commerce would not only retard the development of the islands, but would ultimately lessen the revenue of the British government, that the shortage of provisions and lumber and their high prices in Britain and Europe would make it virtually impossible for adequate supplies to be sent out to the West Indies. The West India Committee further appealed to Parliament to surrender its constitutional claims over the colonies, and return to 'that great political system' which had existed within the British Empire.¹⁹ Whether or not the Committee meant to side with the Americans is doubtful. The evidence points to the contrary and shows that its members were genuinely worried about the future of the West Indian sugar economy, and thus their investments. But no concessions were made to the West Indian interests, and Anglo-American relations slipped along the collision path.

Having rejected the pleas of various interests in Britain for conciliation, Parliament retaliated to the planned closure of American ports to British and West Indian merchants by passing in March 1775 the first of two Restraining Acts. The Act restricted the commerce of the mainland colonies with Britain, Ireland and the British West Indies, and prohibited the New England

¹⁹*Ibid.*, fo. 71A.

colonies from participating in the Newfoundland fisheries.²⁰ But before these restrictions could be imposed, another Act was passed in April extending them to the southern colonies, except North Carolina and Georgia. All enumerated articles produced in the American colonies were excluded from Imperial markets, and all other products could be exported to British and Irish ports only.²¹

To evade the Acts, the Americans legally cleared out their goods for the British West Indies, but went instead to the foreign islands. When the Americans went to the former, they sold their cargoes for cash rather than exchange them for rum as was done previously. Since the islands' economy functioned on strong bilateral connections with the Americans, the planters could not procure building material, plantation supplies and food if their rum was not taken in exchange. In retaliation to the Acts, however, in May Congress forbade all American merchants from supplying the Newfoundland fisheries, and prohibited the exportation of American products to those colonies retaining their allegiance to the British government.²² This was a severe psychological blow to the West Indian planters who realised that if enforced it signalled the destruction of their sugar production and commerce.

²⁰15 Geo. III C. 10.

²¹15 Geo. III C. 18.

²²Ford, ed., *Journals of Congress*, Vol. II, p. 54.

After the clash between British troops and Americans at Lexington, in April 1775 Congress abandoned its economic policy as the general mood among a majority of the representatives moved towards independence from Britain. The non-exportation agreement was scrapped, and merchants importing munitions of war were allowed to export provisions to any place, except British ports.²³ The Bermudians who had openly supported the Americans were thus exempted from all restrictions on their trade. Supplies of corn, bread, flour, beef, pork, peas or beans, and rice were to be sent to Bermuda from Carolina, Virginia, Maryland, Pennsylvania and New York, in exchange for salt. Lumber, soap and candles were to be added to the list, when the island's needs were ascertained. But in the meantime, Edward Stiles, a Bermudian resident in Pennsylvania, was authorised to ship a cargo of provisions to Bermuda in the brig *Sea Nymph*, Sam Stobel master. In addition, the colonists were eligible to receive further supplies of food and lumber in exchange for arms, saltpetre, and sulphur.²⁴ These Congressional measures were vital factors in making British economic war policy unworkable.

The enforcement of the Restraining Acts also posed a major problem for the British naval commanders in the West Indies, because of the general unwillingness

²³*Ibid.*, pp. 184-185; John Adams to James Warren, 4 November 1775. Burnett, ed., *Letters*, Vol. II, p. 248.

²⁴Kerr, *Bermuda*, pp. 53-54, Ford, ed., *Journals of Congress*, Vol. II, p. 54.

of the colonists to refrain from selling gunpowder and small arms to the Americans.²⁵ Furthermore, some law officers questioned the legality of the Acts, as well as the orders to enforce them from the Secretary of the Admiralty, Philip Stephens, to the Commanders-in-Chiefs.

Early in September 1775 the Lords of the Admiralty directed Rear-Admiral Clark Gayton, Commander-in-Chief of the Jamaica squadron, and his counterpart James Young on the Leeward Islands station to seize all American vessels trading contrary to the Restraining Acts, or carrying arms and gunpowder without a certificate. Consequently, Gayton sent Captain Stair Douglas in the *Squirrel* to cruise off Mole St. Nicholas, in Saint Dominque, and Captain Gardner in the *Maidstone* to cruise off Inagua, one of the Bahama Islands, with orders to seize all American vessels trading illegally.²⁶ Vice-Admiral Young gave similar orders to his captains operating in the waters around the Leeward Islands.²⁷ The captures made because of these instructions reveal the beginnings of a trade in arms and ammunitions between the rebellious colonies and the foreign West Indies.

Nine vessels captured off Saint Dominque and sent

²⁵James Young to Philip Stephens, 30 August 1775. Adm. 1/309, fo. 240; James Young to Craister Greatheed, 22 August 1775. *Ibid.*, fos. 242-243d; Lord Germain to Sir Basil Keith, 23 December 1775. C.O. 137/70, fos. 167-167d.

²⁶Orders to Captain Stair Douglas by Rear-Admiral Clark Gayton, 29 November 1775. Adm. 1/240, fos. 130-131d; Orders to Captains Douglas and Gardner, 29 November 1775. *Ibid.*, fo. 131.

²⁷Vice-Admiral James Young to the Captains of His Majesty's Ships, 21 December 1775. Adm. 1/309, fos. 319-392.

to Jamaica had been properly cleared out by the Customs officers in America for a British West Indian port; but once they had cleared the American coast, their captains headed to the foreign islands where they exchanged their cargoes for tropical products and gunpowder. For example, the sloop *Dove*, Nicholas Bull master, had sailed from Rhode Island for Jamaica, but went instead to Saint Dominique where he sold his cargo, and received sugar and molasses. Three other vessels captured enroute to America after trading at Saint Dominique had cleared out from North Carolina in order to take advantage of that colony's exemption from the Restraining Acts. Of the remaining vessels, the schooner *Thames*, alias *Sally*, alias *Supreme*, presents further interesting insights into the nature of the new trade, and the new method of registering American vessels, which became an effective and common practice during the American War, enabling the rebels to trade freely with the West Indies.

When the *Thames* was cleared out from Philadelphia for Jamaica, the American mate was registered as master. After leaving the continent the captain sailed directly to St. Nicholas where the ship's cargo was sold. Then Fairbault, a Frenchman, who now acted as captain sailed to Leogane, in Saint Dominique, where the ship was freighted with sugar and molasses. He then sailed to Petit Goave where he received a set of French papers. As the occasion required, either of the ship's papers was to be shown to English or French warships to protect it from capture. The *Thames* then sailed for New England,

but was captured enroute by Captain Douglas in the *Squirrel*.²⁸ In some cases, the captains of American vessels sailed, in accordance with their clearances, to one of the British islands, and after selling their cargoes for cash, they cancelled their bonds and sureties. They then received letters 'as safe conduct' from the British West Indian governors, and with these they cleared out for an American colony; but enroute they went to the French islands to buy supplies.²⁹

In compliance with their instructions, Douglas and Gardner sent the nine vessels into Port Royal to be condemned in the Vice-Admiralty Court there, but by the time they returned to Jamaica the Prohibitory Act had already come into force. This Act prohibited all trade between the British West Indies and the rebellious colonies. All ships belonging to, or found trading with, those colonies were to be seized, and libelled in any court in the British Empire. However, it contained provisos which exempted certain American vessels from capture, and these provided the West Indian colonial law officers with loopholes for giving opinion against condemning American vessels captured by reason of the Acts.

The Prohibitory Act, for example, did not apply to American ships or goods sent to pay debts in Britain, Ireland or the British West Indies, on or before

²⁸ 'A Case' (January 1776). Adm. 1/240, fos. 187-188.

²⁹ *Ibid.*, fo. 188d.

1 January 1776, nor to those continental vessels which arrived in the West Indies on or before the same date, and after discharging their cargoes were loaded with West Indian products for Britain or Ireland, before 1 August. American vessels which sailed for the United Kingdom with their products on or before 1 March were also exempted from seizure. The captains of vessels wishing to take advantage of these exemptions were required to carry certificates valid for six months only which had to be surrendered to the collectors of the Customs on the ships' arrival in the United Kingdom.³⁰

When Captains Gardner and Douglas returned to Port Royal, they received a copy of the Prohibitory Act, and it was probably their interpretation of its proviso clauses which made them question the legality of their captures. Consequently, they again seized the vessels while they lay at anchor in the harbour. Yet, the legality of their actions remained doubtful, and they sought the opinion of two eminent law officers in Jamaica, the Attorney and Advocate-General Thomas Harrison, Member of the Assembly, and Chief Justice Richard Welch. But these ruled that the seizures were illegal because they were made on orders from the Lords of the Admiralty, and 'State Policy and State Orders' could not be upheld in the courts, unless they were warranted by law, that as no Act of Parliament authorising

³⁰16 Geo. III C. 5.

such captures existed before the Restraining and Prohibitory Acts, the vessels had to be released to allow the owners to take advantage of the provisos in the latter.³¹ It is difficult to understand their reasoning which implied that Parliament could not prohibit American trade, as long as the colonies retained their allegiance to the Crown.

With regard to the condemnation of the vessels under the Prohibitory Act, Harrison and Welch ruled that under its provisions none of them could be condemned 'without giving the Act a retrospection beyond the express Term of its commencement'. As the new Act had superseded the Restraining Acts, the jurisdiction which they had created was repealed, and since the former did not retain the conditions for seizure contained in the latter Acts, the Prohibitory Act could not apply to captures made under them. Furthermore, it was 'a penal Act', and they were therefore

restrained by every rule of construction from raising provisions out of intents unaccompanied with enacting Clauses, to give such intents Effects; Nay, the Clause which enables vessels belonging to Inhabitants of the Prohibited Colonies to sail from this Island before March contradicts such supposed interests. As little is to be inferred from the Indemnity Clause, which makes the Acts of the captors legal. Instead of giving them or rather confirming a right of seizure previous to the 1st January 1776, it only indemnifies for having possibly seized without such right. What they have done is to make legal as to themselves but not legal as to captures;

³¹ 'A Case' (January 1776). Adm. 1/240, fo. 189.

which are thereby liable to confiscation.³²

This law officers' opinion was at variance with the intentions of Parliament. Likewise, they surely had departed from the customary practice whereby colonial law officers and judges were guided in their opinions and decisions by Parliamentary statutes in accordance with the punishment prescribed for non-compliance with those regulations. After giving their opinion, Harrison and Welch recommended the release of the vessels to allow their captains to take full advantage of the provisos in the Prohibitory Act, since the detention of the ships and crews, in case sentences of condemnation were not obtained, would subject the naval officers to legal suits.³³

Another lawyer in Jamaica, J.P. Baker, took the opposite and orthodox view, and wrote as his opinion that the captured American vessels were *prima facie* property of the captors. Applying a broader and rather loose interpretation to the Prohibitory Act, Baker contended that though Parliament had never stated that the American colonies were independent, the preamble to the Act which declared that the colonists had usurped the powers of Parliament had in fact amounted to a declaration that the colonies had relinquished that allegiance; thereby placing them on the same footing as foreign nations which were unable to sue in British courts. Baker also contended that the Prohibitory Act

³²*Ibid.*, fo. 189d.

³³*Ibid.*

had assumed the authority of the Restraining Acts, thus making the vessels condemnable under its provisions, 'unless the Law of Nations is to give way to Common Law Rules in our Courts of Admiralty: and Rebellion is to be assisted by favourable Construction of Acts of Parliament, of which no one would doubt the meaning'.³⁴

None of the vessels sent into Port Royal was condemned, and the Restraining Acts which were expected to crush the rebellion in America failed because the American traders with help from the West Indian colonists were able to evade their penal clauses. Welch's and Harrison's opinion was a contributory factor, and led Gayton to complain that there were 'too many friends to America in Jamaica'.³⁵ The ease with which the American traders cleared out for British West Indian ports and then sailed to the foreign islands assured them of large quantities of tropical products, as well as arms and gunpowder. The sufferers were the British sugar planters who were caught in the midst of an economic war over which they had no power, either to change its course or to determine its outcome. The years 1774 and 1775 had also witnessed the creation of a new British policy towards the Americans - one which continued after the thirteen colonies gained their independence in 1782. Similarly, these years saw the development of a new American policy restricting trade with the sugar colonies and the rest of

³⁴ 'J.P. Baker's Opinion' (no date). Adm. 1/240, fos. 200-200d.

³⁵ Clark Gayton to Philip Stephens, 28 March 1776. Adm. 1/240, fos. 180d-181.

the British Empire - a policy which was rightly expected to affect the islands' commerce and their economic development.

By the beginning of 1776, trade between the rebellious colonies and the British Caribbean islands was placed under severe restrictions by both Parliament and Congress. The former did so by the Prohibitory Act, while on 6 April the latter opened American ports to all foreign countries to the exclusion of Britain and her colonies. The resolution adopted by Congress authorised the export of all goods, except staves and empty casks, 'from the thirteen United Colonies by the inhabitants thereof, and by the people of all such countries as are not subject to the King of Great Britain, to any parts of the World, which are not under the dominion of the said King' It also permitted the importation of merchandise, except East India tea, slaves and manufactures from Britain and Ireland, 'from any other parts of the world to the colonies, by the inhabitants thereof, and by the people of all such countries as' were not the subjects of the British King. Congress and the states further reserved the right to regulate their commerce when, and if, necessary. All goods illegally imported from any part of the British Empire, except Bermuda, were to be confiscated.³⁶

For the West Indian planters, the closure of the

³⁶Ford, ed., *Journals of Congress*, Vol. II, pp. 257-259; Vernon Setser, *The Commercial Reciprocity Policy of the United States: 1775-1829* (Philadelphia, 1937), p. 11.

continental ports was serious; but some relief was to be found in the loopholes in the measures. Both Parliament and Congress made exemptions to their restrictions. For instance, the case of Bermuda has already been discussed. In the case of Britain, the Prohibitory Act did not end all trade with America, but only forbade that with the rebellious colonies. By its first proviso, licences were to be granted to all British subjects wishing to trade with those areas under British control, or to those colonies acknowledging the sovereignty of the Crown.³⁷ In the West Indies, the response to this proviso varied. Some Governors granted licences, upon request, to merchants going to the continent.³⁸ After the capture of New York in 1776, for example, Lord Macartney gave permits to a group of prominent Grenada merchants to send rum, molasses and other products for the troops there. He even applied to Vice-Admiral Young for a warship to convoy the vessels to America.³⁹

Young turned down the request because he could not spare a warship to go to America,⁴⁰ and as he had not been officially informed that New York had surrendered to the British troops. It is more likely, however, that he feared that his permits would have been used to cover an

³⁷16 Geo. III C. 5.

³⁸Merchants of Grenada to Lord Macartney, 3 June 1777. Adm. 1/310, fo. 123.

³⁹Lord Macartney to James Young, 3 June 1777. *Ibid.*, fo. 124.

⁴⁰Young to Stephens, 12 June 1777. *Ibid.*, fos. 114-114d.

illegal trade between the West Indies and the rebels, for he told Lord Macartney:

I cannot think myself at liberty to grant convoy to ships bound to...America on private Trade; and was it all necessary that such large supplies should be sent from these islands, for use of the King's Army and Navy I should certainly have received directions from home concerning it, and a suitable provision of ships for that purpose: or at least Lord Howe and the General would have given notice thereof....⁴¹

Gayton also rejected a similar request from Governor John Dalling, on behalf of the Assembly of Jamaica, on the grounds that he had no orders from the Admiralty to send convoys anywhere, except to England with the homeward trade.⁴²

But despite their refusals, most Governors continued to give licences to vessels wishing to go to America. Some gave to only those merchants who were considered loyal. But those who were refused licences in one government either went without any, or received them from another island.⁴³ In some instances, the merchants were able to get the proper clearances from the officers of the Customs even without any licences. For example, the schooner *Race Horse*, Harry Tottle captain, owned by Roach and Eccles of Barbados, and

⁴¹James Young to Lord Macartney, 8 June 1777.

⁴²Clark Gayton to John Dalling, in J.A.J., 31 October 1777. C.O. 140/59, p. 8.

⁴³Lord Macartney to Sir William Howe, 16 November 1778. C.O. 101/21, fo. 198; William Mathew Burt to Lord Germain, 16 April 1778. C.P. 152/57, fo. 183d; 'Vessels with Letters of Marque granted by his Honor John Dalling', 6, 15, 17 October 1777. C.O. 137/73, fo. 64.

freighted with over sixty puncheons of rum consigned to America, was legally cleared out at the custom-house in St. Vincent. There were several merchantmen loaded with rum for the continent lying at anchor in Kingston harbour, awaiting their clearances.⁴⁴ To what extent the Governor's licences aided smuggling between the rebels and the West Indians is not quite clear, but without them the merchants would have still traded illegally.

Nothing, in fact, could have prevented the West Indians from carrying on a part of their traditional trade, however small, with the American colonists. Their success could be judged by the complaints from Lord Howe and Sir William Howe. Because of the large number of British West Indian vessels seen trading with the enemy, both British officers sent circular letters in 1777 to the West Indian Governors, as well as to Lieutenant-Governor Mariot Arbuthnot of Nova Scotia, requesting them not to grant licences to vessels wanting to go to any port whatever in America, except to those under the total control of British forces.⁴⁵ This information was transmitted to Lord Germain, Secretary of State for the Colonies,⁴⁶ who in turn sent out a circular letter to the Governors instructing them to grant no more permits to

⁴⁴Valentine Morris to Lord Germain, 16 April 1778. C.O.260/5, fo. 187; see Chapter III for a discussion on smuggling.

⁴⁵Circular Letter to the West Indian Governors from Lord Viscount Howe and Sir William Howe, 20 April 1777. C.O. 5/94, fo. 249; See Lord Howe and Sir William Howe to Lieutenant-Governor Mariot Arbuthnot, 10 April 1777. *Ibid.*, fo. 247.

⁴⁶Sir William Howe to Lord Germain, 8 June 1777. C.O. 5/94, fo. 245.

vessels to carry rum, molasses, or any other products 'for the use of the Army and the Navy', except to the contractors for supplying the troops in America.⁴⁷

The new restrictions met with staunch opposition. In the West Indies, Lord Macartney was the most outspoken critic of the new policy. While agreeing with the aims of the Howes, he felt that the contractors, by being given a virtual monopoly of victualling the British forces, would give preferential treatment to some islands, while others would not 'have an *equal* right to the Chance of the Market, where the law permitted it to be open'. Macartney was particularly upset over the loss of rum sales in Grenada, and he proposed that all the British islands should be given the same opportunities of supplying the forces when the mainland ports became open.⁴⁸

In England, the West India Committee strongly opposed Lord Germain's attempt to suspend the proviso of the Prohibitory Act. At a meeting in March 1778, the merchants resolved that many West Indian Governors had considered Germain's instruction 'a general Prohibition' against issuing licences to vessels to America, and that his action had defeated the intentions of Parliament in giving relief to the loyal colonists in America and the West Indies.⁴⁹ The Committee therefore applied to Germain for new instructions ordering the Governors 'to

⁴⁷ Minutes of the West India Merchants, 8 March 1778, Vol. I, fo. 140.

⁴⁸ Lord Macartney to Lord Howe, and Sir William Howe, 5 December 1777. C.O. 101/21, fos. 198-200d.

⁴⁹ Minutes of the West India Merchants, 3 March 1778, Vol. I, fo. 141.

grant licences, for clearing out Rum and molasses, for the Supply of the Inhabitants, of Such Places as are possessed by the King's Troops, in any of the Colonies, not at the King's Peace, to all the King's Loyal Subjects that shall apply to you for the same'.⁵⁰ The West India Committee, having received a valuable concession, was satisfied with the new arrangement.⁵¹ In the West Indies, Germain's decision was favourably received by everyone concerned. Some planters were optimistic that the renewal of the Governors' authority to grant licences to merchants wishing to go to America would increase the demand for rum 'which otherways must have either Remained in our Stores or have been Reduced so low as not to pay one fourth Part of the Expence in Producing it', wrote Governor William Mathew Burt of the Leeward Islands.⁵²

But though the Prohibitory Act had given slight relief to the sugar planters to send their rum to the continent, the termination of unrestricted commerce between the mainland colonies and the British Caribbean islands was expected to cause severe economic disaster. The planters had tried to prevent this by importing larger quantities of foodstuffs in 1774 and 1775, but these could not have been stored in the sub-tropical

⁵⁰ Copy of Lord Germain's Circular Letter to the West Indies Governors, in Minutes of the West India Merchants, 9 March 1778, Vol. I, fo. 144.

⁵¹ See Minutes of the West India Merchants, 9 March 1778, Vol. I, fo. 145.

⁵² Burt to Germain, 9 June 1778. C.O. 152/58, fo. 114d.

climate of the islands. Furthermore, the very nature of the West Indian slave society made it inevitable that if the islands were to be saved from economic disaster alternative sources of supply had to be found, and it was hoped that one such source would be Scotland.⁵³

Since 1730, the Scottish merchants had revived their business interests in the West Indian trade, carrying it on through agents in many of the colonies. Before 1765 the volume of trade was small and was included in that of England. After that year, however, Scottish 'business seems to have been gaining...until the American Revolution', writes Professor Pares.⁵⁴ The letter books of Alexander Houston and Company, one of the principal Glasgow merchants trading to the West Indies, provide valuable material from which one can gauge the volume of trade between Scotland and the British West Indies, the prices of West Indian products, as well as the economic impact of the American War on the sugar colonies.

It was inevitable that the cessation of American commerce with the British islands would lead to a growing demand in them for Scottish dry goods, oats, beans, flour, biscuit, Negro clothing, staves and herring. John Pinney,

⁵³M.L. Robertson, 'Scottish Commerce and the American War of Independence', *Ec.H.R.*, 2nd series, Vol. IX, No. 1 (August 1956), pp. 123-128.

⁵⁴Richard Pares, 'Merchants and Planters', *Ec.H.R.*, 2nd series, Supplement No. 4 (1960), p. 33. Some of the factors of Houston and Company of Glasgow were Houston and Paterson of Grenada, Turner and Paul of St. Vincent and Tobago, and Robert Houston, a Member of the Assembly of St. Kitts.

for instance, placed substantial orders of herring with Houston and Company,⁵⁵ but unlike the American method of supplying the West India markets - a system under which hundreds of vessels left the continent annually, with few pre-arranged plans, to go to the West Indies where they sailed from port to port, the captains or factors bartering, selling, purchasing or simply delivering freight - the planters had now to order their supplies of herring almost a year in advance, even before the season's catch was made, so that all the goods could be sent out in one ship.⁵⁶

This system had many disadvantages. If a planter's orders were lost because of natural disasters to the ship, or captures at sea, or if they arrived late, or if the supplies were carried to a different island, as was the case on numerous occasions during the American War, he was unable to receive some classes of food for a whole year. In some instances, the planters' orders were substantially reduced because demand exceeded supply, and even when supplies were available there were several complaints of herrings being spoilt before reaching the West Indies.⁵⁷ In addition, unlike the American merchants who carried their supplies to the British islands first

⁵⁵ John Pinney to Alexander Houston and Company, 3 June 1776. Pinney Papers: L.B. 4, p. 46.

⁵⁶ Houston & Co. to John Richardson Herbert, 19 June 1776. Houston Papers: National Library of Scotland MSS. 8, 793, p. 40 (hereafter cited as Houston Papers: N.L.S. MSS.).

⁵⁷ Houston & Co. to James Smith, 1 October 1776, *Ibid.*, p. 55; Houston & Co. to John Constable, 7 February 1777. *Ibid.*, p. 170.

during the colonial period, Scottish supplies depended on several factors, namely: the success of the fishing season, the domestic as well as the foreign demand, and the price and availability of staves for making barrels to transport the fish. These factors also determined the price of herring which was much higher than that previously imported from America.⁵⁸

Similarly, after the outbreak of the American War, there was great demand in Scotland for West Indian products. The prospects of increased business led Houston and Company to hope that the boom would continue for the rest of the War. Of course, the Glasgow sugar importers were doing well. At the beginning of 1776 the price of sugar rose by 4s. to 5s. per cwt., while that of rum increased by 9d. to 1s. per gallon; but cotton prices did not increase, remaining at pre-war levels of 19d. to 22d. per lb.⁵⁹ The general prosperous outlook for improved trade led Houston and Company to write to its agents in St. Vincent: 'Sugar and Rum are still rather advancing and we begin to be of opinion that prices will be maintained throughout the year'.⁶⁰

⁵⁸ Houston & Co. to Lewis Chavel & Co., 13 October 1777. Houston Papers: N.L.S. MSS. 8,795, p. 39.

⁵⁹ Houston & Co. to Josias Jackson, 4 March 1776. Houston Papers: N.L.S. MSS. 8,793, p. 2; Houston & Co. to James Akers, 4 March 1776. *Ibid.*, p. 3; Houston & Co. to Patrick Maxwell, 4 March 1776. *Ibid.*, p. 5; Houston & Co. to Duncan Campbell, 4 March 1776. *Ibid.*

⁶⁰ Houston & Co. to Turner & Paul, 4 March 1776. *Ibid.*, p. 12. A similar letter sent to Houston & Paterson of Grenada. Prices quoted by the Company: Sugar - 30s. to 42s. per cwt., Rum - 2s.2d. to 3s.3d. per gal., Cotton - 19d. to 22d. per lb.; Robertson, 'Scottish Commerce and the American War', *Ec. H. R.*, Vol. IX, No. 1 (August 1956), p. 125.

But this early optimism was premature. No sooner had the Company forecast the continuation of high prices and increased business, than the Scottish market for West Indian products began to decline, with prices falling as low as those of 1775. Over-importation of West Indian sugar, rum and cotton, and the destruction of the Scottish tobacco trade by the War had stagnated the market.⁶¹ That of London was also glutted with West Indian rum, and the price fell to around 2s. per gallon in June 1776,⁶² with no likelihood of rising again for the rest of that year. In contrast to their earlier letter, Houston and Company now wrote: 'the Want of an exportation of ref'd goods to America makes the market very heavy'.⁶³

The recession caused by the decline in British exports to America began in the latter part of 1776, and was accompanied by an 'uncommon scarcity of money'⁶⁴ which forced Houston and Company to restrict its commercial dealings in the West Indies. No estates were to be taken as collateral in any business transactions, and the Company refused to accept any new customers.⁶⁵

⁶¹*Ibid.*, p. 126; Houston & Co. to David McFarlane, 19 April 1776. Houston Papers: N.L.S. MSS. 8,793, p. 31; Houston & Co. to Turner and Paul, 19 April 1776. *Ibid.*, p. 29; Houston & Co. to Duncan Campbell, 31 May 1776. *Ibid.*, p. 38.

⁶²Houston & Co. to Houston & Paterson, 19 June 1776. *Ibid.*, p. 45.

⁶³Houston & Co. to Turner & Paul, 1 October 1776. *Ibid.*, p. 79.

⁶⁴Houston & Co. to Turner & Paul, 25 June 1778. Houston Papers: N.L.S. MSS. 8,794, p. 30; Robertson, 'Scottish Commerce and the American War', *Ec. H.R.*, Vol. IX, No. 1 (August 1956), pp. 127-128.

⁶⁵Houston & Co. to John Cockburn, 1 October 1776. Houston Papers: N.L.S. MSS. 8,793, p. 83.

When the threat of a French war became more serious at the end of 1777, a time also of numerous losses caused by American privateers, the Company wrote to its Agents, Turner and Paul, in Tobago:

The public affairs of this nation seems to be arrived at a very alarming Crisis, for, besides the American War, which bears a most gloomy aspect, it seems highly probable that we shall soon be engaged in another with France, the consequences of which may prove fatal to the Commerce of Britain, in this situation we beg leave to mention to you that we have resolved to restrict our trade to the West Indies.⁶⁶

As the American War continued into 1778, and British trade with Europe slackened, West Indian goods 'for which there was no demand and no outlet', accumulated in the storehouses.⁶⁷ For example, in Scotland there was no demand for rum or cotton 'at any Price'.⁶⁸ Therefore, Houston and Company was once more writing to its Agents in Grenada, Houston and Patterson, beseeching them not to mortgage any estates for debts, as 'the uncertainty of a French War, the low price & no demand for cotton - & above all the very great want of money all Combine to hinder us from engaging in Such a business....'⁶⁹ In spite of large sums of money sent to Scotland from the West Indies in 1778, the Company continued to call in its debts, and to advocate a

⁶⁶Houston & Co. to Turner & Paul, 30 December 1777. *Ibid.*, p. 325.

⁶⁷Robertson, 'Scottish Commerce and the American War', *Ec. H. R.*, vol. IX, No. 1 (August 1956), pp. 126-127.

⁶⁸Houston & Co. to Turner & Paul, 27 May 1778. Houston Papers: N.L.S. MSS. 8,794, p. 2.

⁶⁹Houston & CO. to Houston & Patterson, 20 July 1778. *Ibid.*, p. 43.

reduction of its Caribbean business. Even prospects of profits from high freight rates and food prices in the islands could not entice it 'to go deeper into the West Indian trade'.⁷⁰

The planters who depended on the Scottish trade received a severe blow when in 1780 Houston and Company refused to ship any goods to the islands.⁷¹ In the following year, there was yet another recession in the Scottish trade,⁷² and the Company was not able to fill its West Indian orders. Yet, despite the failure of Houston and Company to supply the colonies adequately, it had continued to trade with them during the entire War, and had suffered heavy losses from the failure of the West Indian trade, and its debtors.⁷³ But even though the Scottish trade fell short of the sugar colonies' requirements, it went a long way in relieving the islands,⁷⁴ and supplemented other supplies from England and Ireland.

To further lessen the expected distress in the colonies, the British government adopted legislative measures to permit the exportation of wheat and other

⁷⁰Houston & Co. to Samuel Cary, 9 April 1778. Houston Papers: N.L.S. MSS. 8,793, p. 428.

⁷¹Houston & Co. to Robert Houston, 17 January 1780. Houston Papers: N.L.S. MSS. 8,794, p. 294.

⁷²Robertson, 'Scottish Commerce and the American War', *Ec.H.R.*, Vol. IX, No. 1 (August 1956), p. 127.

⁷³Houston & Co. to William McTair, 17 January 1780. Houston Papers: N.L.S. MSS. 8,794, p. 285. McTair (Mactier) was trading with Samuel Curson and Isaac Gouverneur of St. Eustatius; see Chapter III.

⁷⁴Piers Mackesy, *The War for America 1775-1783* (London, 1964), p. 228.

articles of food to the West Indies.⁷⁵ In 1778 Parliament also passed an Act lifting some of the restrictions on Irish trade with the colonies. But because of intense opposition from the West India Committee,⁷⁶ as well as some merchants,⁷⁷ sugar could not be imported directly into Ireland. Instead, that country was allowed to export all her products, British goods, except woollen manufactures and glass, and all foreign goods legally imported, to the British colonies.⁷⁸

But these concessions were not enough, and in 1779 new demands for direct trade between Ireland and the British West Indies were made. Consequently, in the 1779-1780 session of Parliament, all restrictions on Irish trade were abolished.⁷⁹ Nevertheless, commerce between Ireland and the West Indies made only slight gains between 1780 and 1784. Larger quantities of herring, beef and pork were exported to the islands, but it is doubtful whether these were equal to the planters' demands.⁸⁰ Yet, as in the case of the Scottish trade, beef, pork and herring exports from Ireland were vital to the survival of the colonies.⁸¹

⁷⁵16 Geo. III C. 37; Ragatz, *The Planter Class*, p. 147.

⁷⁶Minutes of the West India Merchants, 9 March 1778; Vol. I, fo. 149.

⁷⁷Houston & Co. to Richard Neave, 18 March 1778. Houston Papers: N.L.S. MSS. 8.795, pp. 302-321.

⁷⁸18 Geo. III C. 55; Ragatz, *The Planter Class*, p. 149.

⁷⁹20 Geo. III C. 10; Ragatz, *The Planter Class*, p. 149.

⁸⁰Donald Macpherson, *Annals of Commerce* (London, 1805), Vol. IV, pp. 59-60.

⁸¹Mackesy, *The War for America*, p. 228.

In previous wars, the ships which went from England to the West Indies 'carried no lumber but hoops, no provisions but some beans and oats, they had little to do with the plenty or scarcity of plantation necessities in the islands'.⁸² During the America War, however, England became the chief supplier of provisions to the colonies, and the arrival or loss of the merchantmen determined the levels of supplies in the British West Indies. Of course, illegal trade with the Americans (which is discussed in the following chapter) did contribute to the quantities of provisions and lumber, but this source was unreliable. Once the Prohibitory Act went into force at the beginning of 1776, many planters immediately ordered provisions from their correspondents in England.⁸³

Consequently, between 1775 and 1782 there was a significant increase in all classes of foodstuffs exported to the West Indies.⁸⁴ Beef and pork exports rose from approximately 2,300 barrels in 1775 to over 38,000 barrels in 1782. The quantity of wheat and flour also increased substantially during the same period, while bread exports from England to the West Indies climbed from 431 cwts. in 1774 to 43,795 cwts. in 1782. Peas and fish exports were also greater than at any other time before. But, on the whole, the enlarged

⁸²Pares, *War and Trade*, pp. 474-475.

⁸³John Pinney to William Manning, 10 February 1776. Pinney Papers: L.B. 4, p. 26.

⁸⁴See Appendix B, Table 1.

quantities of foodstuffs from England, Ireland and Scotland in no way compensated for the loss of the American trade.⁸⁵ One problem of interpreting the statistics is that there is no record to show whether the provisions were for the planters or for the King's forces stationed in the West Indies. It is more likely, however, that the presence of a large number of troops in the colonies during certain periods of the American War doubled the consumption of the finer foods, as had been the case in previous wars.⁸⁶

The statistics showing the value of British exports to, and imports from, the West Indies 1770 to 1783 help determine with some accuracy, the state of the trade between Britain and the sugar colonies.⁸⁷ For the six years from 1770 to 1775, the average total annual value of exports from Britain to the West Indies amounted to approximately £1,403,675. From 1776 to 1782, the average annual value of British exports to the colonies was roughly £1,346,491 - a drop of approximately £100,000. Although this is a moderate figure, the decline is still significant. In the wars of 1744-1748 and 1756-1763, the volume of British exports did not decrease, and both wars 'appear to have stimulated exports to the West Indies'. Pares cites as a possible reason for this increase the improved prices of West Indian produce,

⁸⁵Ragatz, *The Planter Class*, pp. 149-150.

⁸⁶Pares, *War and Trade*, pp. 491-493.

⁸⁷See figures in Appendix A, Table 15.

which enabled the planters to purchase more British goods.⁸⁸ But the total annual value of West Indian goods exported to Britain also decreased during the American War. For instance, the average annual value of exports from the sugar colonies to Britain amounted to approximately £3,000,601 for the six years ending in 1775. From 1776 to 1782, this did not exceed £2,647,000.⁸⁹

The sharp decline in the total annual value of West Indian products, in spite of the high prices for sugar in London, was a result of the decrease in the quantity West Indian staples exported to Britain during the period.⁹⁰ Previous wars did not affect the production of the sugar colonies, and imports of West Indian staples into Britain increased after the Peace of Aix-la-Chapelle, and 'continued throughout the Seven Years War and the years which followed it'.⁹¹ The American War reversed this, and not only in sugar; for there was little demand for minor staples and rum.⁹²

Yet, despite the drop in West Indian trade, the islands still needed a large number of ships to take off their produce. During the American War, however, less

⁸⁸Pares, *War and Trade*, pp. 474-475.

⁸⁹See Appendix A, Table 15.

⁹⁰See Appendix B, Table 2.

⁹¹Pares, *War and Trade*, pp. 473-373.

⁹²Houston & Co. to Charles Irvine, 28 August 1777. Houston Papers: N.L.S. MSS. 8,793, p. 259; Houston & Co. to Turner & Paul, 1 October 1778. N.L.S. MSS. 8,794, p. 53; Houston & Co. to Mathew Munro, 9 February 1780. *Ibid.*, p. 327; Rawlinson, Chorley & Grierson to William Eccles, 12 March 1782. In J.A.J. 12 February 1783. C.O. 140/159, p. 546.

shipping reached Caribbean ports than during any previous war, for three main reasons: the numerous captures of British shipping by American privateers, the large number of ships recruited for government service, and the prohibition of American-West Indian commerce which removed the American branch of shipping. Most of the British merchantmen captured during the War were not replaced because of the high cost of labour, as well as the shortages and exorbitant prices of material.⁹³ As the situation worsened after 1778, many planters could not secure freight to Britain. One planter in the Leeward Islands wrote that it was 'not the largeness of our crop that makes it difficult to get freight, but the want of vessels'.⁹⁴ Letters from Jamaica to Edward Long conveyed the same tale - 'the stores crammed with [rum] & sugar, & no ships to carry them off'.⁹⁵ The situation was equally serious in Grenada and the other islands.⁹⁶

The removal of a large number of 'stationed ships' from the West Indian trade made it difficult for some planters who, in spite of the scarcity, were reluctant

⁹³William Chrichton, 'A True State of the Explanation...of the Causes of the Rise of the Price of Sugar', 6 July 1778. Add. MSS. 12, 404, fo. 445 (hereafter cited as 'The Causes of the Rise of the Price of Sugar').

⁹⁴John Pinney to Mills & Swanston, 1 May 1778. Pinney Papers: L.B. 4, p. 191; Pinney to Mills & Swanston, 10 September 1778. *Ibid.*, p. 262.

⁹⁵'Jamaican Advices', 23 July 1778. Add. MSS. 12, 412, fo. 6.; 'Jamaican Advices', 26 July 1778. *Ibid.*, fo. 6d.; 'Jamaican Advices' 23 September 1778. *Ibid.*

⁹⁶Macartney to Germain, 23 May 1779. C.O. 101/23, fos. 159-159d.

to take freight in 'seekers'. In one specific case, when the *Fortitude*, Captain Johnstone, belonging to Glasgow, arrived at Black River, in Jamaica, John Van Keleen, the new manager of Sir Joseph Barham's Jamaica estate, refused to ship his sugar aboard the vessel, because very few planters knew either the ship or its captain. He preferred to wait for a 'stationed ship', although he had no idea when one would arrive.⁹⁷ The lack of ships also created ill-feelings between the planters and captains, who would select which cargoes they were prepared to take.⁹⁸ 'The Scarcity of Ships', wrote one manager, 'has raised the insolence of their commanders in such manner as is hardly to be borne with, for they will take just as much and as little as they choose from each shipper....'⁹⁹

Because of the reduced shipping, supplies for one island were sometimes delivered at another.¹⁰⁰ Planters also had to send their products to any British port to which they could procure freight, contrary to their own commitments and interests.¹⁰¹ But, if the planters were distressed, the British merchants suffered equally from the American War. Shipping in wartime was considered a

⁹⁷Van Keleen to Barham, 19 March 1782. Barham Papers: Bodl. MSS. Clarendon; Dep. C. 357 Bund. 1.

⁹⁸Pinney to Manning, 17 June 1780. Pinney Papers: L.B. 5, p. 78.

⁹⁹Van Keleen to Barham, 10 May 1782. Barham Papers: Bodl. MSS. Clarendon; Dep. C. 357 Bund. 1.

¹⁰⁰Houston & Co. to Nesbitt & Co., 27 January 1777. Houston Papers: N.L.S. MSS. 8,793, p. 148.

¹⁰¹Pinney to Manning, 17 June 1780. Pinney Papers: L.B. 5, p. 78.

profitable though risky business. In the wars of 1739-1748 and 1756-1763, some merchants made substantial profits.¹⁰² But in the American War, it is doubtful whether many merchants made any significant profits from their ships engaged in the West Indian trade, though freight rates were substantially higher.¹⁰³

On application from the merchants, the West India Committee agreed in September 1776 to increase the outward freight rates from England to the West Indies by thirty-five per cent, and in the following year the new rates were doubled.¹⁰⁴ They were further increased in 1781 by fifty per cent on all goods shipped to the Leeward Islands.¹⁰⁵ But these higher rates did not offset the increased costs of seamen wages, repairs, insurance, and the expense of arming the vessels.¹⁰⁶ The uncertainty created by the War, and the heavy losses suffered by some shipowners, led many of them to turn to the more lucrative transport service.¹⁰⁷ Consequently,

¹⁰²Pares, *War and Trade*, p. 502.

¹⁰³Houston & Co. to Turner & Paul, 11 March 1777. Houston Papers: N.L.S. MSS. 8,793, p. 169; Houston & Co. to James Smith, 5 December 1777. *Ibid.*, p. 297.

¹⁰⁴Ragatz, *The Planter Class*, pp. 145-146. In 1777, the rates were: boards 4.10s. per 1060 feet; Loops, 4.4s per thousand feet; staves, £5 per thousand; puncheon packs, 5s. each; and white oak staves and headings 5.10s per thousand.

¹⁰⁵*Ibid.*, p. 146; Minutes of the West Indies Merchants, 30 October 1781, Vol. II, fos. 72d-73.

¹⁰⁶Houston & Co. to Turner & Paul, 20 February 1781. Houston Papers: N.L.S. MSS. 8,793, p. 401.

¹⁰⁷Chrichton, 'The Causes of the Rise of the Price of Sugar', 6 July 1778. Add. MSS. 12, 404, fo. 445.

in 1782 'the Society of West India Merchants was obliged to resort to law to force ship masters to accept freight at even those high figures'.¹⁰⁸

The homeward freight rates were also advanced significantly. The usual charges from Jamaica to London during peace was 3s.9d. per cwt for sugar, and 6d. per gallon for rum. These rose in 1777 by 1s.3d. on sugar, and 2d. on rum. Those from the remaining islands were increased to 5s. per cwt for sugar, and 7d. per gallon for rum, except from Barbados where it was only 6d.¹⁰⁹ When shipping became scarce in early 1778 the rates on sugar went up to 8s. per cwt.¹¹⁰ Later that year it was advanced by a further 1s. Charges on rum rose by 2d. to 3d. per gallon.¹¹¹ There were further increases in 1779 and 1780, reaching 10s.6d. per cwt for sugar and 10d. to 11d. for rum.¹¹² The costs of freight from the smaller islands, intermingled as they were between the French and Dutch colonies frequented by American privateers, were as high as those quoted for Jamaica.

The onset of previous wars in the West Indies also usually increased the business prospects of the insurance brokers and underwriters in London and the

¹⁰⁸Ragatz, *The Planter Class*, p. 146.

¹⁰⁹'Rates of Freight Homewards for 1777', in *Supplement to the Cornwall Chronicle and Jamaica General Advertiser*, 29 March 1777. Vol. I, No. 200:3.

¹¹⁰Dalhouse, Stephens & Co. to Smyth, 23 April 1778. Woolnough Papers: Ashton Court Collection, AC/WO 16 (27), pp. 89-101.

¹¹¹Houston & Co. to David Graham, 7 December 1778. Houston Papers: N.L.S. MSS. 8,794, p. 117.

¹¹²Houston & Co. to Turner and Paul, 14 May 1779. *Ibid.*, p. 193: Houston & Co. to Captain David Scott, 11 February 1780. *Ibid.*, p. 337.

colonies.¹¹³ But during the American War, however, only the very wealthy underwriters, backed by large sums of money, were able to make substantial profits; for although their losses were heavy at times, the premiums were high throughout the War.¹¹⁴ In the Seven Years War the cost of insurance for the homeward voyage reached as much as 30 guineas per cent in 1757; but this was exceptional. The normal rates for vessels without convoy was 15 to 20 guineas per cent. Those with convoy paid premiums of 7, 10, and even 15 guineas lower.¹¹⁵

One of the first factors to affect the cost of insurance was the onslaught on British shipping by American privateers which swarmed along the trade routes to Britain, as well as the seas around the Caribbean islands. From about the middle of 1776, these privateers captured large numbers of British merchantmen, thus bringing heavy reverses to the underwriters who in order to recover part of their losses pushed up their premiums. For example, after the loss of one of Houston's ships, the *Caledonia*, his insurance premium skyrocketed by 55 per cent, although this seems to be an exceptional case.¹¹⁶

As the activities of the privateers increased in

¹¹³R.P. Crowhurst, 'British Oceanic Convoys', p. 90; see his Chapter II for a discussion of Marine Insurance.

¹¹⁴Charles Wright and Charles Ernest Fayle, *A History of Lloyds* (London, 1928), p. 158.

¹¹⁵Pares, *War and Trade*, pp. 495-496.

¹¹⁶Houston & Co. to Aretas Akers, 1 October 1776. Houston Papers: N.L.S. MSS. 8,793, p. 71.

the following year, insurance rates became 'higher than in' the last war.¹¹⁷ Insurance for the homeward voyage rose to 25 guineas per cent in February 1777,¹¹⁸ but appears to have declined a few months later to around 15 guineas per cent, to return 5 per cent if the merchantmen arrived safely under convoy.¹¹⁹ which was included as a condition in the policies to deter captains from leaving the convoy or from placing their vessels in the path of the privateers. The threat of a French war in 1778 immediately pushed the cost of insurance to 20 and 25 guineas per cent, to return £8 per cent for the former and £10 per cent for the latter.¹²⁰ The actual outbreak of war with France sent the rates skyrocketing to around 30 guineas per cent, and they remained at this level for the rest of the war. Premiums to Ireland in 1781 were £25 per cent to return £8 if with convoy.¹²¹ But, although insurance premiums were high, shipowners in the West Indian trade were required to get the 'character of the ships...ascertained, approved' and certified that they were going to sail with convoy before most underwriters would even consider

¹¹⁷Houston & Co. to Alexander Houston Jr., 26 May 1777. *Ibid.*, p. 243.

¹¹⁸Houston & Co. to Captain David Graham, 17 February 1777. *Ibid.*, p. 185.

¹¹⁹Houston & Co. to Alexander Hamilton, 4 June 1777. *Ibid.*, p. 249.

¹²⁰Harry Clarke to Robert Dunmore & Co., 14 April 1778. Cuninghame of Lainshaw MSS.: N.R.A. (Scotland): GD 247, Box 59, Bund. Q.

¹²¹'Rate of Insurance on the West Jamaica Fleet', 1 November 1781, in the *Cornwall Chronical and Jamaica General Advertiser*, Vol. I, No. 439: 3-4.

insuring them.¹²²

The outward insurance rates were always less than those for the homeward voyage, in previous wars.¹²³ The same conclusions are true for the American War, but the premiums were much higher than usual during wartime. In June 1777 the cost of insurance was from 8 to 10 guineas to return 4 guineas per cent for convoy and safe arrival of the ships.¹²⁴ The rates increased in the following year, but by placing a ceiling on the premiums they were prepared to pay, some merchants through their brokers were able to get the rates they wanted, but such cases were rare. For example, when Harry Clarke, a broker, had secured £1,500 insurance on the *Janet Lawrie* and her cargo at the lower premium for Robert Dunmore and Company of Glasgow, he wrote:

It was with much difficulty, I affected this assurance at your limits of 8 gns per cent as our underwriters are very shy of West India risques unless really intended to go with convoy, or of considerable force, & good pms. Considerable number of men is also as material as the Guns.¹²⁵

Contributions towards these policies were usually spread among the businessmen who normally took an equal share in the enterprise. For example, Robert

¹²² Clarke to Dunmore & Co. 14 September 1778. Cuningham of Lainshaw MSS.: N.R.A. (Scotland): GD 247: Box 59, Bund. Q.

¹²³ Pares, *War and Trade*, pp. 495-496.

¹²⁴ Houston & Co. to Houston & Patterson, 5 June 1777. Houston Papers: N.L.S. MSS. 8,793, p. 251.

¹²⁵ Clarke to Dunmore, 17 February 1778. Cuningham of Lainshaw MSS.: N.R.A. (Scotland): GD. 247: Box 59, Bund. Q.

Dunmore and Company insured the *Jamaica Pollock* and its cargo for £1,400 - £1,000 on the ship valued at £2,400 and £400 on the goods. Seven merchants contributed £200 each towards the policy which Clarke procured at 10 guineas per cent,¹²⁶ about 5 guineas less than the cost of insurance by the more established groups.¹²⁷

Insurance premiums remained at about 15 guineas for the remainder of the War,¹²⁸ until 1782 when it fell to 12 guineas per cent without, convoy.¹²⁹

During the American War, the underwriters inserted several conditions into their policies. Ships on the outward voyage were allowed to go to Cork and from there to sail with convoy to the West Indies, but within a specified time. The homeward merchantmen were insured to depart from the West Indies on a stated date only, and under convoy.¹³⁰ Prize vessels were considered poor risks and many refused to insure them.¹³¹ Insurance on sugar was fixed at £24 or £25 per hogshead, and therefore the market prices had nothing to do with the rate of insurance. But, in spite of these safeguards the underwriters suffered heavy losses. A total

¹²⁶ Clarke to Dunmore, 19 March 1778. *Ibid.*

¹²⁷ William Cuninghame to Robert Dunmore & Co., 3 August 1778. *Ibid.*

¹²⁸ Houston & Co. to Turner & Paul, 26 April 1779. Houston Papers: N.L.S. MSS. 8,794, p. 188.

¹²⁹ Wright and Fayle, *Lloyds*, p. 158.

¹³⁰ Clarke to Dunmore (no date) Cuninghame of Lainshaw MSS.: N.R.A. (Scotland): GD. 247: Box 59.

¹³¹ Clarke to Dunmore, 7 March 1778. *Ibid.*

of 3,386 British ships involved in all areas of trade were captured, of which 495 were retaken, and 527 ransomed.¹³²

Survival of British-West Indian commerce during wartime depended on the ability of the navy to provide adequate protection. This was especially so during the Seven Years War, and its effectiveness is well-documented.¹³³ In contrast, during the American War the convoy system had virtually collapsed giving little protection to the trade routes, the coasts and approaches to Britain and the islands. Convoys for the West Indian trade were organized through the West India Committee.¹³⁴ At the beginning of 1776, however, it did not request outward convoys, but asked instead for reinforcements to strengthen the squadrons stationed in the West Indies, and for convoys for the homeward trade.¹³⁵

The arrangements for the homeward convoy differed from those of the Seven Years War. Rather than allow the admirals stationed in the West Indies to arrange convoys,¹³⁶ the West India Committee established a definite programme of regular sailings from Jamaica and

¹³²Wright and Fayle, *Lloyds*, pp. 155-158.

¹³³Crowhurst, 'British Oceanic Convoys', Chapters IV and V for a discussion of the convoy system and the West Indian trade during the Seven Years War; also see Mackesy, *The War for America*, p. 228; Pares, *War and Trade*, p. 472; Davis, *The Rise of English Shipping*, p. 327.

¹³⁴Crowhurst, 'British Oceanic Convoys', p. 68.

¹³⁵Minutes of the West Indian Merchants, 2 January 1776, Vol. II, fo. 87.

¹³⁶Crowhurst, 'British Oceanic Convoys', p. 146.

St. Kitts. Those from Jamaica were to sail at the end of April, May, June, July, September and December. The first three convoys from St. Kitts were to depart around the same time, but the fourth was to sail at the beginning of August and the last at the end of October after the hurricane season.¹³⁷ This schedule was never kept, and there were several alterations and cancellations of convoys.

Because of the activities of American privateers, around the middle of 1776 the West India Committee now applied to the Admiralty for a number of outward convoys which were scheduled to sail between October and April of the following year. This was a departure from the system established in the Seven Years War when they sailed from Cork to the West Indies regularly between December and February.¹³⁸ Similarly, not all convoys to the West Indies went from Cork during the American War; the majority sailed from Portsmouth, with the last one in April of each year being allowed to call at Madeira.¹³⁹ Once France joined the War, the Admiralty would usually order the convoys from Cork and Portsmouth to unite, and proceed to the West Indies in strength; but whenever this was contemplated, the West India Committee was assured that the outward-bound merchantmen

¹³⁷Minutes of the West India Merchants, 16 February 1776, Vol. I.

¹³⁸Crowhurst, 'British Oceanic Convoys', pp. 81-82.

¹³⁹Minutes of the West India Merchants, 2 September 1777; Vol. I, fo. 126; Minutes of the West India Merchants, 24 August 1779, Vol. II, fo. 12.

would not be delayed off Cork.

But delays were inevitable, because of the weakness of the British navy. The demands of the West Indian trade had placed a strain on the depleted squadrons in Jamaica and the Leeward Islands. In April 1776, for example, there were only four ships on the Leeward Islands station,¹⁴⁰ and Young warned that unless the squadron was reinforced he could not send any convoy with the homeward merchant fleet, without endangering the safety of the islands.¹⁴¹ 'The Squadron Employed here', he wrote, 'is very Weak and Insufficient for the Various Services wanted, in the present very precarious Situation and Uncertainty, who are our Friends or Foes'.¹⁴²

This situation became worse after France entered the war, and in November 1778, Rear-Admiral Barrington, who replaced Young as Commander-in-Chief, also warned that if the Leeward Islands squadron were not reinforced, he could not 'spare a ship even to convoy the homeward-bound trade'.¹⁴³ As the fighting moved to the Caribbean waters, convoys were further weakened and delayed for long periods. The one appointed to sail for England in April 1779, for example, did not leave

¹⁴⁰Young to Stephens, 7 April 1776. Adm. 1/309, fo. 456.

¹⁴¹Young to Stephens, 30 September 1776. *Ibid.*, fo. 567.

¹⁴²Young to Stephens, 13 March 1778. Adm. 1/310, fo. 229d.

¹⁴³Rear-Admiral Barrington to Philip Stephens, 19 November 1778. *Ibid.*, fo. 352d.

St. Kitts until several months later.¹⁴⁴ Its value was put at over £2,000,000,¹⁴⁵ and to protect it from capture by a French squadron under Monsieur de la Motte Piquet, which had left Brest for Martinique, Vice-Admiral Byron who had superseded Barrington as Commander-in-Chief decided to use his entire squadron to accompany the convoy out of danger of the French islands.¹⁴⁶ He saved the trade, but lost Grenada and St. Vincent.¹⁴⁷

The delays in sailing of both the outward and homeward-bound convoys resulted in losses to the West Indian planters, as well as the British merchants, who depended on a steady movement of goods to and from the West Indies. Delays of the outward merchantment added to the shortages of provisions and ships in the islands. There were reports of goods rotting while the ships lay at anchor at Portsmouth awaiting convoys.¹⁴⁸ The postponement of homeward-bound vessels for as long as eight months¹⁴⁹ led to a deterioration in the cargoes and consequent depreciation in the value on their arrival in Britain. Vessels lying unprotected off St. Kitts

¹⁴⁴Vice-Admiral Byron to Phil Stephens, 4 April 1779. Adm. 1/312, fos. 56-56d.

¹⁴⁵Macartney to Germain, 6 June 1777. C.O. 101/23, fo. 181.

¹⁴⁶Byron to Stephens, 15 June 1779. Adm. 1/312, fo. 84.

¹⁴⁷Captain Thomas Southey, *The Chronological History of the West Indies* (London, 1827), Vol. II, p. 441.

¹⁴⁸Minutes of the West India Merchants, 17 February 1778, Vol. I, fo. 126.

¹⁴⁹Minutes of the West India Merchants, 1 June 1779, Vol. II, fos. 1d-2.

were also easy prey for the privateers. The convoy system thus failed to meet the high standard established during the Seven Years War, and this failure led to protests from the local planters, and the islands' agents in London. One West Indian planter in calling for public support for the Americans pointed to Britain's inability to protect the colonies and their commerce.¹⁵⁰ In England, Stephen Fuller, the Agent for Jamaica, used the capture of a number of merchantment under convoy to show the failure of the system.¹⁵¹ Lloyd's insurance group, as an example, suffered severe losses in 1780 when a Spanish fleet under Cordora, with a French reinforcement, captured fifty-five of sixty-three ships in a combined East and West India convoy. The loss estimated at over £1,500,000 resulted in the failure of many underwriters.¹⁵²

Another branch of British-West Indian commerce affected by the American War was the slave trade. During wartime when no contestant had any clear control of the sea routes, the trade declined.¹⁵³ However, in the wars of 1739-1748 and 1756-1763, when British naval power was superior to that of her enemies, even though British shipping to Africa decreased, slave imports into

¹⁵⁰The West India Planter to the West India Planters and Merchants; in the *Antigua Gazette*, 16 September 1779. C.O. 101/22, fo. 128.

¹⁵¹Memorial of Stephen Fuller to Lord Germain, 8 December 1779. C.O. 137/75, fo. 211d.

¹⁵²Wright and Fayle, *Lloyds*, pp. 42, 155.

¹⁵³Curtin, *Atlantic Slave Trade*, p. 154.

the West Indies increased because the ships carried more 'slaves to the ton'. Consequently, the number of Negroes retained in the colonies was not seriously reduced, if at all.¹⁵⁴ In contrast, the number of slaves retained in the sugar colonies during the American War declined quite markedly.¹⁵⁵

Many of the ships engaged in the African trade were captured within sight of the British colonies by American privateers.¹⁵⁶ For example, a sloop belonging to the firm of Ashburner and Hinds of Grenada, on a voyage from Sierra Leone to Grenada with 90 slaves, four tons of ivory, and six tons of camwood was captured at the end of February 1777 by an American privateer within a few leagues of St. Vincent, and carried into St. Lucia.¹⁵⁷ The snow *Apollo* carrying about 290 slaves,¹⁵⁸ and the brig *St. George*, Robert Stein master, with approximately 199 slaves were also captured off Barbados in the following month.¹⁵⁹

The American War of Independence did not ruin, but it seriously affected British-West Indian commerce in a way that no earlier war had done. British shipping

¹⁵⁴Pares, *War and Trade*, pp. 472-473.

¹⁵⁵See Appendix B, Table 3.

¹⁵⁶Long, 'History of Jamaica', Add. MSS. 12,404, fo. 446d; Hay to Germain (marked secret), 12 July 1777. C.O. 28/56, fo. 127.

¹⁵⁷Macartney to Germain, 6 March 1777. C.O. 101/20, fo. 128d.

¹⁵⁸Deposition of Richard Webb, 25 April 1777. *Ibid.*, fos. 186-186d.

¹⁵⁹Deposition of Robert Tait, 21 April 1777. *Ibid.*, fo. 184.

was greatly reduced, as was the production of sugar and rum on which the economy of the islands was based. Although larger quantities of provisions were carried to the islands from Britain and Ireland, most of these probably went to feed the larger white population swollen by an influx of loyalists in some islands and by the presence of the troops. Some lumber also reached the colonies from Britain, but demand greatly exceeded supply. The decline of the slave trade also meant the loss of yet another element which was needed to maintain a buoyant sugar economy.

Apart from reducing the production of staples, the American War had dampened the spirit of the planters, and they appeared to have lost part of the driving force so characteristic of the West Indian planter who produced tropical staples amidst all the hardships and dangers to himself and his family. But nevertheless, in spite of the many setbacks, British West Indian trade survived although greatly weakened, as was the Imperial tie which fostered it. An extract from a letter written by a resident of Bristol best sums up the effect of the American War on British-West Indian trade. He wrote:

... Commerce hath suffered an unspeakable injury. Some branches of it have been almost, if not quite annihilated; and others are so miserably incumbered with heavy Expenses; that they are attended with little or no Profit. But the Calamities of the Nation, are too painfully felt, to need being mentioned, as they are likewise too numerous, to be particularly recounted. Their existence however is not more certain than the Cause of them is manifest. *They*

have all originated in the War with America. And they can never end, while that continues. They have increased every Year, since it began, and will increase still faster, the longer it is carried on.¹⁶⁰

The loss of the American trade had therefore forced the West Indian merchants and planters to rely on the foreign islands for that part of their supplies which could have been received only from the continent, thus creating an extensive illegal trade with the Americans in the foreign ports.

¹⁶⁰Fellow Citizen to the Citizens of Bristol, 22 January 1782.
Bristol Public Library: Jefferies Collections of MSS., Vol. VIII,
p. 94.

CHAPTER III

BRITISH WEST INDIAN MERCHANTS AND ILLEGAL TRADE

In the development of trade between the West Indies and the American colonies before 1776, smuggling formed an important and profitable business. The percentage of imports smuggled into the mainland colonies, and thus the extent of the illegal trade are not exactly known. During the American War, contraband trade was, apart from privateering, the chief means by which the British West Indies received most of the products which could not be obtained from Britain or Ireland,¹ and by which the rebellious colonies, on the other hand, procured supplies of British manufactures, tropical products and war materials. The illegal commerce depended, of course, on the cooperation of the rebels and the British colonists whose social and family ties enabled both parties to trade with little risk. Although the smugglers aided the American rebellion, they also helped the planters to survive the War. Not all the illegal trading was done directly - a large part was carried through intermediaries in the foreign islands where commercial agents for the United States were stationed to handle American trade, in addition to a

¹'State of Trade with America from 1773 to 1782' (no date). C.O. 325/6, fo. 4 (hereafter cited as 'State of Trade').

variety of other related matters (more fully discussed in Chapter IV).

The restrictions imposed on American-West Indian commerce by the Prohibitory Act and the need for supplies formerly received from the thirteen colonies were incentives to the British West Indian smugglers. Similarly, the enforcement of the Act caused severe shortages in the mainland colonies of woollen and Negro clothing, rum, molasses and salt which were sold at vastly increased prices. Likewise, the prohibition of the exportation of gunpowder, arms and ammunition from any part of the British Empire to the rebellious colonies forced the Americans to find alternative channels through which these articles were clandestinely shipped to the continent. Congress therefore resolved in July 1775 that American merchants importing war materials, within nine months of that date, would be exempted from the non-exportation resolution, and would be allowed to export American products to the value of their imports. A copy of this resolution was sent to all provincial committees of safety, and the Pennsylvania delegates were requested to forward copies in hand-bills to the West Indies.²

In the pre-Revolutionary and Revolutionary periods, the American colonies depended almost entirely on the British West Indies for salt, which was essential in making butter, and preserving meat and fish for domestic use, as well as for exportation. Over half of the

²Ford, ed., *Journals of Congress*, Vol. II, pp. 184-185.

million and a half bushels imported annually came from the West Indies, a quarter from southern Europe and the rest from Britain.³ The prohibition of American commerce with the remainder of the British Empire had thus cut off the chief suppliers of salt to the mainland colonies, and therefore the permission given to the Bermudians to trade freely with the rebels was a strategic move by Congress because any interruption of salt supplies threatened not only the commerce of the colonies, but their ability to wage a successful war.

The scarcity of salt at the beginning of the American War caused severe hardships among the rebellious colonists, and exorbitant prices were charged for the limited quantities available. For instance, the price increased from 6s. per bushel in 1776⁴ to almost 30s. in the middle of 1777.⁵ Because of the high price of salt in America, many British West Indian merchants risked exporting it to the continent either directly, or through St. Eustatius and Bermuda. For example, the *Young Shark*, commanded by Ezra Field, belonging to St. Eustatius was captured on a voyage from Anguilla, one of the British Leeward Islands, to the Dutch colony with a cargo of salt

³ Asa E. Martin, 'American Privateers and the West India Trade, 1776-1777', *A.H.R.* (1934-1945), Vol. XXXIX, pp. 704-705; Lord Sheffield, *Observation on the Commerce of the American States*, p. 117.

⁴ William Spear to John Spear, 6 January 1776. Adm. 1/309, fo. 450d.

⁵ Issac Smith, Sr. to John Adams, 13 August 1777, Adams, *The Adams Papers*, ed., Butterfield; Vol. II, pp. 310-311.

for America.⁶

The opportunities created by the American War for contraband trade were fully exploited by the Bermudians who retained a special relation with the rebellious colonies, but as 'loyal' British subjects were free to trade with the British West Indies, and Turks Islands from which they obtained most of their salt. In addition, they controlled a sizeable share of the lucrative trade with St. Eustatius. Of the Bermudian merchants engaged in contraband trade with the rebels, members of the Tucker family were the most important, and owned many of the ships used in the illegal commerce.⁷ For example, the schooner *Rachell* belonging to John Tucker, merchant of St. George, captain Purcell Johnson, was loaded with 850 bushels of salt, some loaves of sugar, and a quantity of other goods, consigned to John Wright Stanley and Company of Edenton, in North Carolina;⁸ but was captured enroute to America. Fortunately for Tucker, he had remained home to procure another vessel of salt for Stanley and Company.⁹

In order to smuggle successfully, the Bermudian

⁶'An account of Ships and vessels taken as Prize of War by his Majesty's Ships under Vice-Admiral Young at Barbados and the Leeward Islands, and in the seas adjacent', December 1776. Adm. 1/309, fo. 593.

⁷Kerr, *Bermuda*, pp. 55-58; P. Barrow Searcher of Customs at Bermuda, to Peter Franchlyn, Collector at Jamaica, (no date). Add. MSS. 38,376, fo. 93.

⁸Henry Tucker to John Wright Stanley & Co., 6 March 1778. H.C.A. 32/436/4, fo. 8.

⁹John Tucker to Stanley & Co., 6 March 1778. *Ibid.*, fo. 9.

merchants who controlled the Assembly would apply to the Governor for licences to go to America for provisions, on the pretext that the island was in imminent danger of famine. In some instances, the Assembly's fears were real,¹⁰ but on numerous occasions, the threat of famine was exaggerated. For example, on an appeal from the Assembly at the end of 1777 that there would be famine if provisions were not brought to the island immediately, Governor George James Bruere granted a licence to Ephraim Paynter, master of the sloop *Recovery*, to go to St. Eustatius in ballast for foodstuffs.¹¹ Instead Paynter went directly to North Carolina where he was captured by the *Phoenix* warship, Commander Hyde Parker Jr.¹² Bruere also issued permits to vessels wishing to go to the rebellious colonies contrary to the stipulations of the Prohibitory Act. As an example, the *Little Betsy*, master Josiah Tatem, was given a licence to go to Georgia or North Carolina for provisions, to be sold under the supervision of Henry Tucker.¹³

It is difficult to understand what motivated Governor Bruere to issue permits to vessels going to the

¹⁰ St. George Tucker to John Page, A Member of the Council of Safety for the colony of Virginia, 31 March 1776. William Bell Clark, ed., *Naval Documents of the American Revolution* (Washington, 1969), Vol. IV, pp. 604-605.

¹¹ 'George James Bruere to All Whom these Presents Shall Come', 26 November 1777. H.C.A. 32/437/13, fo. 7. The *Recovery* was originally owned in Virginia, but the previous register was cancelled and a new one taken out in Bermuda. *Ibid.*, fo. 6.

¹² Deposition of Thomas Roston, 19 January 1778. *Ibid.*, fos. 2-2d.

¹³ Bruere to All Flag Officers, Captains, Commanders etc. (no date). H.C.A. 32/390/10, fo. 9.

rebellious colonies, and why the provisions were to be sold under the supervision of a member of the Tucker family. Of course, the applications received the support of the House; but there is little doubt that Bruere was being fooled on some occasions by the Assembly. For instance, a claim was made to him in January 1778 that Bermuda was experiencing a severe scarcity of provisions, and that famine was imminent unless supplies were carried to the island immediately. Bruere therefore gave a licence to the owners of the sloop *Ranger*, master John Ingam, to go to Virginia for provisions which were to be sold under the supervision of John Tucker. But from Bermuda, the vessel went in ballast to the Turks Islands for a cargo of salt. It then sailed from there, by authority of another licence from Bruere, for Virginia; but was captured enroute by the British privateer *St. Andrew*, commander Simon Donnell.¹⁴ If the inhabitants of Bermuda were really faced with famine as the Assembly had claimed, then the vessel should have gone directly to America. It can therefore be assumed that the Tuckers had an undue influence over the Governor, and famine was used as a ploy to get his cooperation.

To cover their illegal trade and to delude the captains of British warships, the Bermudians procured Dutch registers from St. Eustatius, and clearances for

¹⁴ 'Claim of Anthony Van Dam of ... New York Merchant for and in behalf of Haratio Wood, John Easton, John Masters, Benjamin Morris and William Morris Merchants of Bermuda,' 7 April 1779. H.C.A. 32/436/21, fos. 2-3.

their vessels from the St. Kitts merchants.¹⁵ Before the American Revolution, the Bermudians shared in the West Indian carrying trade, and with the loss of American shipping, their vessels were even more widely used in West Indian commerce. The captains of Bermudian vessels would go to the Turks Islands, or Anguilla for salt. With the assistance of the officers of the Customs, these would be legally cleared out for New York or Nova Scotia for lumber. In some instances, however, they went instead to one of the rebellious colonies where, after discharging their cargoes, they loaded tobacco which was carried to a sugar colony. Here, the vessels were then freighted with sugar and rum which were carried to one of the rebellious colonies, usually North Carolina. Sometimes the captains would go in ballast to one of the middle colonies for lumber and flour. On other occasions, they went to a southern colony for rice and indigo which were then carried either to Bermuda or another British island. On one such voyage, the *Superb* owned by Thomas Forbes and John Tucker, was captured by the *Camilla* warship, commanded by John Collins.¹⁶

Because of the success of the Bermudians, so much salt was received in America that in March 1778 the merchant William Newton reported that it had become a drug in Baltimore.¹⁷ Attempts by British officials to

¹⁵Kerr, *Bermuda*, pp. 55-58.

¹⁶Deposition of Richard Hinson, 9 April 1779. H.C.A. 32/457/1, fos. 3d-4.

¹⁷William Newton to Issac Gouverneur, 14 March 1778. H.C.A. 32/419/14, fo. 13.

restrict the trade in salt failed. For example, when Captain Charles Everitt of the armed brigantine *Badger* went to the Turks Islands in 1777, because of the large number of American and Bermudian vessels loading salt there, he imposed an embargo on its exportation to Bermuda and New York,¹⁸ but to no avail. Vessels with false certificates 'surreptitiously procured from New York', as well as some of the British islands, succeeded in evading the restrictions.¹⁹

Although most of the war supplies exported to the rebels reached them from the French and Dutch West Indies,²⁰ when small arms and gunpowder could not be bought at the foreign islands they were procured from the neighbouring British islands.²¹ Attempts by Vice-Admiral Young to restrict the sale of gunpowder to the Americans failed.²² Intelligence reaching England from South Carolina also informed Lord Germain that the rebels were furnished with significant supplies of gunpowder

¹⁸Gayton to Stephens, 14 April 1777. Adm. 1/240, fo. 363d.

¹⁹Thomas Shirley to Lord Germain, 30 August 1781. C.O. 151/61, fo. 127.

²⁰Young to Stephens, 7 April 1776. Adm. 1/309, fo. 408.

²¹Martin, 'The West India Trade, 1776-1777'. *A.H.R.*, Vol. XXXIX, p. 704; Young to Stephens, 30 August 1775. Adm. 1/309, fo. 340.

²²Young to Craister Greatheed, 22 August 1775. *Ibid.*, fos. 342-342d, 343. Similar letters were also sent to Governor Thomas Shirley of Dominica, Governor Edward Hay of Barbados and Lieutenant-Governor William Young of Grenada; also see James Young to the President, and Members of the Council of Antigua, 11 August 1775. *Ibid.*, fo. 346.

from Jamaica.²³

But most West Indian Governors were unaware of this trade. Some even denied that the merchants in their colonies were exporting gunpowder to the rebellious colonies,²⁴ but the available evidence points to the contrary.²⁵ For instance, the Bermudians who traded with the other British West Indian islands and the rebels supplied the latter with salt and gunpowder.²⁶ Likewise, though Sir Basil Keith had prohibited the exportation of gunpowder from Jamaica, the merchants there supplied the Americans with sizeable quantities of that article.

'Under the colour of fallacious and fraudulent clearances', wrote Governor Archibald Campbell, the Jamaicans exported canvas and other stores to the enemy, via the Spanish merchants at Havana.²⁷ Furthermore, they had collaborated with the Americans, and supplied them with naval stores and ammunition throughout the War.²⁸

Although the evidence for illegal trade between Jamaica and the rebels is less voluminous than that for

²³Lord Germain to Sir Basil Keith, 23 December 1775. C.O. 137/70, fos. 167-167d.

²⁴Edward Hay to Lord Germain, 13 February 1776. C.O. 28/56, fos. 26d-27; Sir Basil Keith to Lord Germain, 2 March 1776. C.O. 137/71, fos. 81-82d.

²⁵See Martin, 'The West India Trade, 1776-1777', *A.H.R.*, Vol. XXXIX, p. 704.

²⁶Barrow to Franchlyn (no date). Add. MSS. 38,376, fo. 93.

²⁷'In Privy Council', 9 July 1782. C.O. 137/82, fos. 283-283d.

²⁸Archibald Campbell to the Earl of Shelburne, 11 July 1782. *Ibid.*, fos. 279-279d; Campbell to Shelburne, 30 September 1782. *Ibid.*, fo. 292.

the Leeward Islands, it could be assumed that any conclusions drawn from an examination of the evidence for the latter are also applicable to Jamaica. Helen M. Allen, in her work 'British Commercial Policy in the West Indies 1783-1793' maintained that

Considerable quantities of provisions must have entered the Islands through illicit channels, largely under cloak of trade with the neutral islands, though other means were also found. Thus, for example in Jamaica, it was well known that many of the merchants there had ventures in privateers, American as well as British.²⁹

Despite attempts to curb the illicit commerce between the West Indians and the rebels, ways were devised to continue it. In March 1776, for example, Captain Taylor of the ship *Industry*, belonging to North Carolina, was ordered to sail from there to Jamaica, in spite of the restrictions imposed by the Prohibitory Act, with a valuable cargo of provisions which he was to sell, and the proceeds to be used to purchase sugar and rum.³⁰ As incentives for undertaking the voyage, if Taylor were detained or captured by British ships, his wages were to be continued until he returned to America. He was also given a commission of 5 per cent on the outward goods, and 2½ per cent on the return cargo.³¹ The *Industry* was captured enroute to Jamaica for trading contrary to the

²⁹Helen M. Allen, 'British Commercial Policy in the West Indies 1783-1793'. Unpublished Ph.D. Thesis (London, 1928), p. 34.

³⁰Richard Quince & J. Foster to Captain Taylor, 29 March 1776. H.C.A. 32/360/15, fo. 9.

³¹Foster to Taylor, 5 April 1776. *Ibid.*, fo. 1d.

Prohibitory Act.³²

But the Act itself was an important factor in fostering the illicit trade. By allowing West Indian merchants to trade freely with those areas in America which came under British control, it aided illegal commerce with the rebellious colonies.³³ In some instances, American ships carrying false registers obtained in New York were taken to Jamaica where they were sold for cash, to be used in the contraband trade. Some traders even left money with their Jamaican merchant friends to be sent to their wives in America.³⁴

Other merchants in order to maintain their trade links with the continent would send money to Saint Domingue to purchase tropical products for their friends and correspondents.³⁵ Joseph and Eliphalet Fitch, Jamaican merchants, were guilty of this practice. On one occasion, they gave William Cockram, master of the ship *Argo*, £2,018 sterling to purchase molasses in the French colony for the Boston merchant Thomas Boylston.³⁶ A bill of exchange for over £491 sterling payable to

³²George III vs. The *Industry*, 28 January 1779. *Ibid.*, fo. 1d.

³³Sir Peter Parker to Philip Stephens, 19 April 1778. Adm. 1/241, fo. 11d.

³⁴David Gregory to Polly Gregory, 19 May 1777. C.O. 101/21, fo. 45.

³⁵Clark Gayton to Governor Dalling, 8 January 1778. C.O. 137/73, fo. 76; Gayton to Philip Stephens, 14 January 1778. Adm. 1/240, fos. 494-494d; Affidavit of William Cockram, 9 January 1778. C.O. 137/73, fo. 90.

³⁶Gayton to Stephens, 8 January 1778. C.O. 137/73, fo. 76d.

Boylston and drawn on the Nantucket merchant William Rotch was also found in a prize captured by Captain Everitt.³⁷ Five or six other vessels belonging to Rotch were already seized for trading illegally with Jamaica.³⁸

Any punitive action against the Fitches was ruled out by Thomas Harrison's opinion. The Attorney-General had prepared an earlier report in 1777 advising the then Governor Sir Basil Keith against prosecuting Jamaican merchants found trading or corresponding with the American rebels.³⁹ He now ruled that the Fitches could not also be considered rebels because they corresponded or traded with the Americans, nor was this sufficient evidence to indict them on any treasonable offence. They were guilty only of trading contrary to the Prohibitory Act; for which the penalty was the seizure and probable condemnation of their vessels. Harrison further contended that the West Indian merchants were free to trade with the American loyalists, many of whom were Quakers, and therefore not involved in any military action against the King. As he had done in the case of the nine American vessels captured under the provisions of the Restraining Acts, Harrison based his opinion on a strict interpretation of the Prohibitory Act, rather than on the intention of Parliament to curb the illegal commerce

³⁷Affidavit of William Cockram, 9 January 1778. *Ibid.*, fo. 90.

³⁸Gayton to Dalling, 8 January 1778. *Ibid.*, fo. 76.

³⁹Thomas Harrison to Sir Basil Keith, 1777. *Ibid.*, fos. 84-87.

between the rebellious colonies and the West Indies.

'The very Preamble of the Prohibitory Act expressly mentions', he wrote:

that many only are in Rebellion; it supposes then that there are many who are not. Are those who are not in Rebellion to be involved with those who are? or is each individual to stand or fall by his own actual innocence or Guilt? The Government have not accepted Simon's Maxim "Cumine ab uno disces omnes", nor, if they had, would the Laws support them in it, or, for the Conduct of the *many*, try and convict *all*.⁴⁰

Surely, Harrison did not expect the British government to frame an Act which would single out every individual colonist in America. The provisions of the Prohibitory Act were broad enough to allow the loyalists to take advantage of its provisos. Four months later, the Attorney-General refused to alter his opinion.⁴¹ The reason for his position seems unclear, but it is quite possible that he was sympathetic to the American cause. The Fitches were certainly involved in numerous business transactions in America and the Dutch colony of Surinam, and traded freely with the rebels. The correspondence of other West Indian merchants bears testimony to this. For example, Messieurs Bourn and Lue, Grenada merchants, wrote to Thomas Day of Surinam: 'my friend Mr. Fitch is in expectation of dispatching a vessel soon. He has given me the generous offer of shipping my goods

⁴⁰'Harrison's Opinion', 1777. *Ibid.*, fos. 94-94d; see discussion of Harrison's opinion in Chapter III.

⁴¹Thomas Harrison to John Dalling, 8 January 1778. *Ibid.*, fo. 94.

on any vessel of his free of Freight as they are not Bulky'.⁴² When Eliphalet Fitch was appointed Receiver-General in 1784, Governor Campbell objected because he had supported the Americans during the War. Campbell could not have legally deprived Fitch of his office and therefore he acquiesced.⁴³

In addition to trading illegally, Joseph Fitch, and other Jamaican merchants filed writs of habeas corpus with the new Chief Justice Edward Webley for the release of American sailors captured in vessels trading contrary to the Prohibitory Act. For example, on receiving information that Robert Sands, former commander of the sloop *Cornelia*, and Nathan Bull, former master of the *Dove*, were detained on board the *Antelope*, Captain Judd, Fitch applied to Webley for a writ of habeas corpus for the release of the men,⁴⁴ which was granted. Gayton's compliance with several more court orders for the release of American traders stemmed from his assessment of the political climate of Jamaica - he feared, and rightly so,⁴⁵ that his refusal would have sparked off 'great Disturbances' among the white people.⁴⁶ Apart

⁴²M.H. Lue and Metatiah Bourn to Thomas Day, 10 April 1777. C.O. 101/20, fo. 50d.

⁴³Archibald Campbell to Lord North, 22 January 1784. C.O. 137/84, fos. 96d-97.

⁴⁴Affidavit of Joseph Fitch, 16 January 1776. Adm. 1/240, fos. 145-145d.

⁴⁵Thomas Harrison to Clark Gayton, 17 January 1776. *Ibid.*, fo. 142.

⁴⁶Gayton to Stephens, 5 February 1776. *Ibid.*, fo. 158; see Gayton to Stephens, 2 January 1776. *Ibid.*, fos. 139d-140.

from maintaining peace in the colony, Gayton's cooperation had subjugated the military to the civil authority, and some welcomed his readiness 'not to affect their liberties & properties...beyond...the necessity' of his duty.⁴⁷

The response of the Governors in the remaining colonies was similar to Keith's.⁴⁸ They published proclamations in 1775 banning the exportation of gunpowder, although in the Leeward Islands, especially St. Kitts, where there was greater overt support for the American rebellion (discussed more fully in Chapter VIII), the absence of the Governor who had returned to England on leave made it more difficult for cooperation between the civilian and military authorities. At its meeting to discuss Young's request, the Council of Antigua agreed that while it could adopt measures to discourage the illegal exportation of gunpowder and arms to the rebels, it had 'no authority to prevent the buying and selling of Merchandize which hath been fairly imported.'⁴⁹ The Council therefore refused to empower its President Thomas Jarvis to issue any proclamation, as some Antigua merchants, on the pretext that they did not know the Americans were in rebellion, openly opposed any restric-

⁴⁷Harrison to Gayton, 17 January 1776. *Ibid.*, fo. 142d.

⁴⁸Thomas Shirley to James Young, 25 September 1775. Adm. 1/309, fo. 360d; Edward Hay to James Young, 25 September 1775. *Ibid.*, fo. 361; William Young to James Young, 17 August 1775. *Ibid.*, fo. 361d.

⁴⁹Thomas Jarvis to James Young, 17 August 1775. *Ibid.*, fo. 246d.

tions on their commerce.⁵⁰

Of course, this type of reasoning was used as a cloak to trade with the Americans. Some West Indian merchants took full advantage of the resolution of Congress allowing them to send powder to the rebellious colonies in exchange for provisions and lumber. Young's charge that the Antiguans were exporting powder to the rebels was substantiated in the correspondence of William Spear of Baltimore with his son John, merchant of Antigua, whom he told: 'Your powder will entitle me to load the sloop out but [I] would not advise you to be large in that article as large quantities are expected in daily'.⁵¹

The merchants of St. Kitts adopted a parallel attitude to that of the Antiguans. Craister Greatheed, President of the Council, and Commander-in-Chief of the Leeward Islands, refused to issue a proclamation banning the exportation of gunpowder without taking the advice of the Council, which could not meet as some members were ill. His own inquiry, however, had led him to believe that there was very little powder on the island which could have been sold to the Americans.⁵² When the Council met in the middle of September, it unanimously opposed the publication of a proclamation.⁵³ Greatheed's

⁵⁰Young to Stephens, 30 August 1775. *Ibid.*, fo. 340d.

⁵¹William Spear to John Spear, 6 January 1776. Adm. 1/309, fo.451d.

⁵²Craister Greatheed to James Young, 30 August 1775. *Ibid.*, fo. 340.

⁵³Extract of Minutes of the Council of St. Kitts, 13 September 1775. C.O. 152/55, fos. 70-70d.

refusal to use his initiative and prohibit the export of powder angered Lord Germain who warned him that his attitude marked 'a want of zeal for the King's service that cannot but be displeasing to his Majesty....'⁵⁴ Germain's reprimand had the necessary effect. Greatheed immediately summoned the Council, and with its advice issued a proclamation on 22 February banning the exportation of war materials from the Leeward Islands.⁵⁵

These restrictions met with little success. The geographical placing of the British Leewards among the French and Dutch islands made it relatively easy for the British merchants to trade with the Americans in the foreign ports, especially St. Eustatius which remained as a free port during the War. Furthermore, in order to continue trading with the West Indies, the Americans developed a new method of carrying on their commerce. Their vessels loaded with contraband goods at the French ports employed nominal French captains who, if stopped by British warships, produced fictitious bills of sale for the vessels.⁵⁶

Complaints about such illegal practices were constantly sent to the French West Indian authorities, but to no avail. The ship *Betsy*, for example, sailed from America with the mate as captain. After loading

⁵⁴ Lord Germain to Craister Greatheed, 23 December 1775. *Ibid.*, fos. 30-30d.

⁵⁵ Greatheed to Germain, 2 March 1776. *Ibid.*, fo. 63; see A Proclamation, in Extract of the *St. Christopher Gazette*, March 1776. *Ibid.*, fo. 72d.

⁵⁶ Young to Stephens, 30 August 1775. Adm. 1/309, fo. 347d; 'A Case', 1776. Adm. 1/240, fo. 188.

military and naval supplies at St. Pierre, in Martinique, a French master was appointed to take the ship to America. An appeal from Captain Francis Gordon of the warship *Argo* to the Governor Count De Nosier for the seizure of the *Betsy* was turned down. At the same time, De Nosier promised to 'sell the Americans Powder, Arms, or anything else they wanted, under the nose of any English Man of War'.⁵⁷ Thus the policy of the foreign governments, in addition to the lack of support for the naval Commanders from some Assemblies and Councils in the British West Indies, restricted the British officials from taking any effective action to stop the illegal trade.

After the Prohibitory Act went into effect at the beginning of 1776, and because of the resolution of the Continental Congress allowing merchants to export American products to the value of their imports of gunpowder, numerous arrangements were concocted between relatives and business associates in America and the British West Indies for a continuation of their former commercial relations. In the trade which emerged cargoes of American products were consigned to agents in the foreign islands for re-export to the British colonies. These agents were mainly concerned with public matters but transacted business for private individuals.

The case of William Spear illustrates this point. At the beginning of 1776, he decided to use his son,

⁵⁷Intelligence to James Young from Francis Grant Gordon, 7 October 1775. Adm. 1.309, fos. 364-364d.

John, in the lucrative illicit commerce. Consequently, he consigned cargoes of lumber and provisions to Abraham van Bibber, the Maryland commercial agent at St. Eustatius, who agreed to accept no commission from John, in return for his assistance, which was never spelt out but might have involved procuring badly-needed British manufactures, gunpowder and arms, as well as securing registers for American vessels. The Spears agreed to the arrangement.⁵⁸ John was involved in other business transactions for American companies. He purchased bills of exchange for Usher Roe & Company of Baltimore - one was for £1,000 sterling at 160 per cent exchange, or £500 at any rate of exchange. These were then remitted to London to buy manufactures. In addition, Spear also settled small debts in Antigua for the Company.⁵⁹

But the main centre of the illegal trade from 1775 to 1780 was St. Eustatius. This small and unproductive Dutch island was described by Lieutenant-Governor Valentine Morris in 1774 as a 'barren rock' which was 'one of the most populous richest spots for its size on the globe'.⁶⁰ St Eustatius which became, during the American War, the headquarters of merchants trading illicitly to America, was ideally situated for trade with the British and French colonies:

⁵⁸ Spear to Spear, 6 January 1776. Adm. 1/309, fos. 450-451d.

⁵⁹ Usher Roe & Co. to John Spear, 15 November 1775. *Ibid.*, fo. 448.

⁶⁰ Valentine Morris to the Earl of Dartmouth, 25 December 1774. C.O. 101/18, Part 1, fo. 16.

St. Christopher lay but some eight miles to the Southeast. Northward, a few miles farther away, lay the French Island of St. Bartholomew. St. Croix, a Danish Island to the Windward, was but little more remote; and beyond, at no great distance, lay St. Thomas and the Spanish colony of Porto Rico, while beyond St. Christopher, to the southeastward, lay intermingled the rich islands belonging to England and to France - Antigua, Guadeloupe, Dominica, Martinique, Barbados, St. Lucia, St. Vincent, Grenada and Tobago.⁶¹

Many British and West Indian merchants, recognizing the economic potentialities of St. Eustatius, emigrated to that island and became Dutch burghers, and in conjunction with the merchants from the neighbouring British colonies, they formed the main commercial link between Britain, the West Indies, and the rebellious colonies. 'Here the English bought the products of America, and the Americans the manufactures of England: here, after France had joined the war, the British merchants met the planters from the French West Indian islands; and here, finally was the chief market where the Americans obtained their military stores'.⁶² By sending contraband goods to St. Eustatius, the Dutch merchants were able to evade the regulations of the States General who had forbidden the export of war supplies to the rebel colonies.

On some occasions, articles destined for America

⁶¹J. Franklin Jameson, 'St. Eustatius in the American Revolution', *A.H.R.* (July, 1903), Vol. VIII, p. 683.

⁶²Friedrick Edler, *The Dutch Republic and the American Revolution* (Baltimore, 1911), pp. 42-43.

were exchanged in mid-ocean.⁶³ An example is the Dutch ship *De Hoop* declared to be enroute to Flushing when she was captured by the *Seaford* at the end of May 1777. On board was a cargo of 1750 barrels of gunpowder and three very large casks of flints which the captain claimed were being returned to Europe, as he was unable to sell them at St. Eustatius. He had already sold 3,000 pounds of powder, and 750 stands of arms complete with bayonets and cartridge boxes. But in spite of these claims, the vessel was suspected of transferring its cargo at sea and was therefore seized.⁶⁴ It does not seem, however, that many such transfers took place. On the other hand, most contraband goods were first landed in St. Eustatius.

But, if that island became the rendezvous for the Americans it also served as a useful depot for the British West Indian merchants, especially after France entered the War in 1778.⁶⁵ This was not the only, or most important, reason which made St. Eustatius so valuable to the British colonists. It was as the centre for illegal trade that it served the islands well; for under the guise of trading with St. Kitts, the merchants from Antigua, Nevis, Grenada, Barbados, and the remaining British colonies traded with the Americans. It was also mandatory for the American merchants, wishing to trade with the foreign

⁶³*Ibid.*, p. 37.

⁶⁴Young to Stephens, 12 June 1777. Adm. 1/310, fos. 137d-138.

⁶⁵Jameson, 'St. Eustatius in the American Revolution', *A.H.R.* Vol. VIII, p. 685; Ragatz, *The Planter Class*, pp. 159-160; Edler, *The Dutch Republic and the American Revolution*, p. 43.

West Indies, to secure the assistance of their British counterparts as a guarantee for the success of their business plans. An American vessel carrying British papers would escape seizure by British warships, and as they almost always carried Dutch and French papers, their chances of being taken in West Indian waters were greatly reduced.

The Edenton merchant William Savage, for example, made plans with John Crohon and Company of St. Eustatius, for salt which he agreed to purchase with American products; but he advised Crohon that if their scheme were to work successfully, his company had to enlist the support of the British West Indians, by allowing them to share in the business. Savage, who had previous commercial relations with the British merchants, was confident that they would assist Crohon and Company 'to take out English Clearances, with English Bottoms for Halifax, or St. Augustine',⁶⁶ in accordance with the proviso of the Prohibitory Act. As his vessels also carried foreign clearances and registers, they were protected from rebel privateers when they arrived on the coast of America.⁶⁷

Around the same time, Carter Braxton, a Member of the Continental Congress in 1776, appointed Isaac Gouverneur his agent in a trade deal between Braxton, Willing and Morris, Philadelphia merchants, and P. Merckle

⁶⁶William Savage to John Crohon & Co., 13 September 1776. Adm. 1/309, fo. 577.

⁶⁷*Ibid.*, fos. 577-577d.

of Amsterdam.⁶⁸ The secret contract with Merckle was valued at £10,000 sterling in goods, consisting mainly of manufactures, powder and small arms. Of this amount £6,000 worth of goods were to be sent directly to America on Merckle's own account. The remainder was to be sent to Gouverneur. To pay for the latter, the company agreed to consign 300,000 lbs of tobacco at 30s. per hundred pounds to Gouverneur who was to retain the proceeds from the sale of the tobacco for Merckle's use, but no money was to be sent to him until Gouverneur had received the goods. A further quantity of tobacco was also sent to the agent to be sold on account of the American company, and with the proceeds from its sale, Gouverneur was to send salt, cotton and woollen cards, linen, brown and refined sugar, rum and molasses to America. As in the previous example, the vessels employed in this trade were provided with British and Dutch registers, but were manned by Dutch sailors.⁶⁹

Apart from being of significant commercial benefits to the British West Indian merchants, when the Leeward Islands were threatened by famine between 1778 and 1781, supplies were brought from St. Eustatius. Many planters were known to have shipped their year's produce to that island 'to purchase provisions and plantation stores to prevent their slaves from starving to death'.⁷⁰

⁶⁸Carter Braxton to Isaac Gouverneur, 28 September 1776. Adm. 1/309, fo. 571. A Copy of this agreement is in C.O. 152/56, fos. 18-19.

⁶⁹*Ibid.*, fos. 571d-572.

⁷⁰Anonymous, *Speech which was spoken in the House of Assembly of St. Christophers...* (London, 1782), p. 28.

Thus, although objecting to Lewis Count de Bylandt, Commander of the Dutch squadron in the West Indies and Governor of St. Eustatius, about the support given to rebel privateers, Governor Burt was quick to acknowledge the economic importance of that island to his government. 'Au Nom De Dieu', he wrote. Carry on & enjoy as large a Trade as you can; we in these islands sometimes reap benefits from it: the Risque Run of being taken & Condemned is an object of the Merchants own Consideration.'⁷¹

The success of the merchants at St. Eustatius attracted the attention of other British West Indian officials. Brigadier-General Robert Prescott described it as 'a magazine for the French and Rebels and greatly supplied by Ourselves'.⁷² Admiral Sir Brydges Rodney, Commander-in-Chief of the Leeward Islands squadron, blamed the successes of the Americans on the extensive trade with the Dutch colony, as well as the other Caribbean islands. He once wrote: 'Commerce, Commerce, alone, has supported them, in their Rebellion; cut off that Resource, and it will soon subside An end to Commerce, is an end to Rebellion.'⁷³

However, all attempts to prohibit the trade failed. For example, in November 1776 Greatheed issued a proclama-

⁷¹Mathew Burt to Lewis Count de Bylandt, 22 October 1778. C.O. 152/59, fo. 24d.

⁷²Robert Prescott to Lord Germain, 30 November 1779. C.O. 318/7, fo. 64d.

⁷³Admiral Sir Brydges Rodney to Philip Stephens, 29 June 1781. Adm. 1/314, fos. 214d-215.

tion prohibiting the export of Negro clothing and all woollen goods, which were usually cleared out by the officers of the Customs for a British colony, but carried instead to St. Eustatius. President Greatheed found that the illegal commerce carried on between St. Eustatius and St. Kitts had made the latter 'an infamous Channel of conveying Comfort and Assistance to His Majesty's Enemies'⁷⁴ Governor Burt also found that there was nothing he could do to stop the trade. His efforts only brought him into conflict with the merchants. 'I have already become', he wrote, 'obnoxious to the Gallo-Americans of the Island & deemed too rigid: My King's Displeasure & My Country's Service of Consequence; their Resentment or Opposition insignificant.'⁷⁵ This tendency to underestimate the opposition was a major failure of the West Indian Governors.

The correspondence between the merchants of St. Kitts and Isaac Gouverneur and his partner Samuel Curson of St. Eustatius, who had trade connections with many British West Indian merchants, gives us an idea of the nature of the illegal trade.⁷⁶ At the beginning of the War, large supplies of provisions and lumber were getting through the British blockade to St. Eustatius from

⁷⁴Greatheed to Germain, 27 November 1776. C.O. 152/56, fo. 28; 'A Proclamation', 26 November 1776. *Ibid.*, fo. 30.

⁷⁵Burt to Germain, 1778. C.O. 152/59, fo. 9; Vice-Admiral Byron to Philip Stephens, 13 May 1779. Adm. 1/312, fo. 61.

⁷⁶Wardenborough and Wright to Isaac Gouverneur and Samuel Curson, (Curzon), 13 September 1777. C.O. 239/1, fo. 158; Wardenborough and Wright to Gouverneur & Curson, *Ibid.*, fo. 203; Curson is the correct spelling used.

America,⁷⁷ and from there to St. Kitts, where they were sold to the planters at enhanced prices.⁷⁸ But after 1779, tobacco was the principal article of commerce; though small quantities of provisions were still reaching the British colonies.⁷⁹ Orders for tobacco were made several times per week.⁸⁰ On some occasions the merchants would go down to St. Eustatius to collect their orders of tobacco;⁸¹ but in most instances, the tobacco was sent to the islands in quantities of 10 to 25 hogsheads in each vessel to lessen losses in the event of captures.⁸² The tobacco was paid for with cash or bills of exchange drawn on merchants in St. Eustatius, and part of the money might have helped to finance the American War.⁸³

Gouverneur also acted as agent for Mactier in negotiating bills of exchange drawn on merchants in Amsterdam. One bill for the St. Kitts merchant William Mactier for £400 sterling payable in London and credited to Aull and Mactier was drawn on Py, Rick and Wilkinson

⁷⁷Joseph Donaldson to William Sitgreaves of Philadelphia, 11 April 1776. H.C.A. 32/436/20, fo. 9; Donaldson to Mr. Donaldson, 11 April 1776. *Ibid.*, fo. 10d.

⁷⁸Joseph Donaldson to Joseph Curson (Samuel), 11 April 1776. *Ibid.*, fo. 11.

⁷⁹William Mactier (McTair) to Isaac Gouverneur, 6 February 1780. C.O. 239/1, fo. 168; see Chapter I footnote 74 and Chapter V.

⁸⁰Mactier to Gouverneur, 1 February 1780. *Ibid.*, fo. 164.

⁸¹Mactier to Gouverneur, 11 January 1780. *Ibid.*, fo. 160.

⁸²Mactier to Gouverneur, 28 January 1780. *Ibid.*, fo. 163

⁸³Mactier to Gouverneur, 2 February 1780. *Ibid.*, fo. 166.

at sixty days notice.⁸⁴ Another bill for £125 sterling was drawn by James Cross, a friend of Mactier, on Patrick Colquhoun of Glasgow and payable in London within 60 days notice at 65 per cent exchange.⁸⁵ Even though the illegal commerce was against the military interests of Britain, the greater part of the proceeds from it was sent to London and benefitted the British merchants. As in the case of tobacco imports, the bills were sent to St. Eustatius by different vessels so as 'to divide the risque'.⁸⁶

The Dutch merchants also acted as the commercial intermediaries between Britain and the rebellious colonies, but to this violation of the Prohibitory Act, the British authorities in London closed their eyes.⁸⁷ After 1778, it was also through St. Eustatius that most of the supplies from Britain and Ireland were sent to the British colonies captured by the French. For instance, Houston and Company continued trading with Grenada via Messrs Crawford of Rotterdam and Hope and Company of Amsterdam. The company's agent Fergus Paterson, formerly of Grenada, went to live in St Eustatius 'for the purpose of supplying' its customers in Grenada. The supplies reaching them via the Dutch companies were invaluable to

⁸⁴ Mactier to Gouverneur, 11 February 1780. *Ibid.*, fo. 173.

⁸⁵ Mactier to Gouverneur, 19 February 1780. *Ibid.*, fo. 175d; see Mactier to Gouverneur, 21 February 1780. *Ibid.*, fo. 177.

⁸⁶ *Ibid.*, fo. 175.

⁸⁷ Edler, *The Dutch Republic and the American Revolution*, p. 38.

their survival.⁸⁸ Similarly, the captured islands' products were imported into Britain through the Dutch colony.

The attitude of the local revenue officers in the British colonies conflicted with the policy of the Governors, thus causing problems for the latter. The Inspector-General George Felton, a close friend of Aretas Akers, and John Tyson, who was a friend of Isaac Gouverneur,⁸⁹ two of Burt's enemies in the Assembly of St. Kitts informed them that they were legally entitled to import American products from any place in British vessels, as 'what was not Prohibited by Act of Parliament might be done'.⁹⁰ In conformity with his own policy of allowing British vessels to import provisions from the neutral islands, Burt agreed to permit the merchants to import food and lumber, but refused to allow the importation of tobacco from anywhere in any ships. The merchants accordingly petitioned him stating that they were 'alarmed' by his objections to the importation of tobacco 'in any *Bottom whatsoever*' when this was acceptable to the officers of the Customs, and they requested his 'reasons for such opposition and refusal'. Burt therefore acquiesced, and allowed the merchants to import tobacco in British vessels, on the condition that it was not the property

⁸⁸Houston & Co. to Fergus Paterson of St. Eustatius c/o Aretas Akers of St. Kitts, 3 January 1780. Houston Papers: N.L.S.:MSS. 8794, p. 256.

⁸⁹Wilkes to Curson and Gouverneur, 23 January 1781. C.O. 239/1, fo. 211.

⁹⁰Burt to Germain, 30 April 1778. C.O. 152/58, fo. 66d.

of the American rebels and the tobacco would be exported to Britain.⁹¹

By Act of Parliament in 1778, tobacco grown in Dominica was allowed into Britain on the same terms as North American tobacco,⁹² and in 1780 Parliament legalised the circuitous tobacco trade. By the latter Act, the Navigation laws were relaxed. Tobacco could be imported into Britain from any place other than that of its growth, on the payment of an additional duty of approximately 1d. per lb. Before 1 January 1780, all tobacco grown in America could be imported into Britain from the Caribbean colonies, if first landed at a neutral port, without incurring any penalties. After that day, however, American tobacco when carried to a neutral port could only be imported into Britain from a colony if a certificate showing the place from which it was brought was attached. The Act also legalised the importation of tobacco from the neutral islands into the British colonies in British vessels⁹³ - the policy was first adopted by Governor Burt after his dispute with the St. Kitts merchants on this question.

These Acts helped the British West Indian merchants to establish a lucrative illegal trade in tobacco for the remainder of the War.⁹⁴ In the first

⁹¹*Ibid.*, fos. 66-67.

⁹²18 Geo. III C. 24.

⁹³20 Geo. III C. 39.

⁹⁴Lord Sheffield, *Observations on the Commerce of the American States*, pp. 219-220; see Appendix A, Table 16.

year of the new Act, over ten million pounds of tobacco were imported into Britain from the sugar colonies.⁹⁵

In that year,

the tobacco imported into Great Britain, through St. Eustatius sold at the British markets for 1,600,000/. - Of this sum, one part was applied to the payment of duties; a second part, the profit of the merchants in Great Britain, - a third part, the profit of the purchaser at St. Eustatius, and such purchaser was generally a merchant of some neighbouring British Islands; - the remaining, fourth part, the returns to America, not exceeding 280,000/. and two-thirds of these returns were in British manufactures.⁹⁶

In addition to the loopholes in the Parliamentary Acts, the inefficiencies of the Customs officers helped the smugglers. For example, many vessels loaded at Guadeloupe for America were fraudulently cleared out from Prince Rupert Bay, in Dominica, to protect them from capture.⁹⁷ William Watkins, the former surveyor of that port, was intimidated by some people for disclosing these practices, and was therefore forced to leave the island.⁹⁸ An investigation carried out by George Felton, and William Senhouse, the Surveyor-General of the West Indies, established that certain officers of the Customs in Dominica had granted certificates of clearances to American vessels, which were

⁹⁵See Appendix C, Table 1.

⁹⁶Anonymous, *Speech*, p. 21 (note).

⁹⁷Watkin's Case (no date). T. 1/551, fo. 191.

⁹⁸Petition of William Watkins to Sir Grey Cooper (no date). *Ibid.* fo. 190; Petition of Watkins to the Commissioners of the Treasury (no date). *Ibid.*, fo. 194.

loaded at Guadeloupe, showing that the inward cargoes were discharged at Dominica and others taken on board.⁹⁹ The Commissioners of the Customs therefore dismissed the comptroller Henry Constable, waiters James Brett and James Hall, and the collector William Izod Mosley for negligence.¹⁰⁰

At Sandy Point, in St. Kitts, the custom-house officers permitted the merchants to export beef to St. Eustatius.¹⁰¹ Those at Antigua also collaborated with the merchants there. For example, the *Alexander* bound for Bristol, under convoy of the warship *Camel*, Captain William Finch, was cleared out from Antigua as containing 20 tons and carrying a cargo of 40 hogsheads tobacco, 165 tierces rice and 2,000 staves, which were legally condemned as prize goods. In fact, when the *Alexander* sailed from Antigua, the vessel had only 5 hogsheads tobacco, 20 tierces rice and approximately 2,000 staves, as well as a quantity of beef and pork not mentioned in the *Alexander's* bill of lading. After leaving Antigua, the vessel broke convoy and went to St. Eustatius where the captain delivered the beef and pork, and took on board the remainder of the cargo which now consisted of 40 hogsheads tobacco, 110 whole and 10 half

⁹⁹Report of the Commissioners of the Customs to the Lords of the Treasury, 8 July 1779. *Ibid.*, fo. 196.

¹⁰⁰*Ibid.*, fos. 196d-197.

¹⁰¹Governor Burt in Council to the Assembly of St. Kitts, 13 April 1779. C.O. 241/11.

tierces of rice, 11 bags of cotton, and 5,200 staves.¹⁰²

Nevertheless, the *Alexander* was not condemned in the Court of Admiralty in England, because the Customs officers in Antigua certified that the vessel's entire cargo was put on board in that island, and that the tobacco was the remainder of a cargo legally condemned in the Vice-Admiralty Court there. Yet, the *Alexander's* manifest and other papers showed that not all the goods were loaded in Antigua. Finch was commended by the Customs Board for detecting the false certificates issued by the revenue officers in Antigua to cover up the illegal trade which if allowed to continue, they wrote, would 'materially injure the trade of the British West Indian Islands, and afford the Strongest Encouragement, to the disturbances in America'.¹⁰³

The revenue officers in Jamaica were also involved in numerous fraudulent deals which were disclosed by James Elford, clerk to Thomas Davison, collector at Kingston. Some of the officers accepted bribes from merchants to turn a blind eye to their illicit dealings. For example, Robert Byrne, a waiter and searcher, took £15 from Alexander Allardyce to release a sloop laden with contraband goods. On two other occasions, Byrne accepted sums of money for allowing prohibited goods to

¹⁰²Memorial of the Honourable William Clement Finch to the Lords of the Treasury, 24 December 1777. T. 1/542, fos. 67-67d.

¹⁰³Report of the Commissioners of the Customs to the Lords of the Treasury, 8 January 1778. *Ibid.*, fos. 70-71.

be exported.¹⁰⁴ Another waiter and searcher, John Pidsley, received money from an officer of the *Duke of Cumberland* packet boat for loading contraband goods.¹⁰⁵ Likewise, William Hill, clerk of the Customs, received money for clearing out a quantity of tobacco as prize goods legally taken and condemned in Jamaica, but which was really smuggled into Kingston in Flags of Truce from Saint Dominque.¹⁰⁶ The Flags of Truce trade does not appear to have been as widespread during the American War as in previous ones.¹⁰⁷ Elford's disclosure of these practices made him unpopular, and he was criticised by his colleagues.¹⁰⁸

So annoying to the British authorities was the assistance given to the Americans by the residents of St. Eustatius, and the British West Indian merchants who traded there, that when Britain declared war against the Dutch in 1780, Admiral Rodney and General Sir John Vaughan, Commander-in-Chief of the Leeward Island forces, were ordered to attack the Dutch colony, which they accomplished on 3 February 1781, without any resistance

¹⁰⁴Affidavit of James Elford, 15 November 1779. T. 1/549, fos. 36-36d.

¹⁰⁵*Ibid.*, fo. 38.

¹⁰⁶*Ibid.*, fo. 40.

¹⁰⁷See Pares, *War and Trade*, pp. 446-455, for a discussion of the Flag of Truce trade during the years 1739-1763.

¹⁰⁸Elford to the Lords of the Treasury, 21 November 1779, fo. 32.

from the Dutch residents.¹⁰⁹ It was the St. Kitts merchants who attempted to lure Rodney away from pursuing his successful attack of St. Eustatius by their repeated reports that the British islands were in imminent danger of capture by a French squadron which had arrived at Martinique,¹¹⁰ hoping to regain their provisions and naval supplies stored in the warehouses there.¹¹¹

The value of the goods found on the island was immense. Over 150 vessels of all descriptions were captured in the road. The water front consisted of one continuous line of storehouses rented by French, Spanish, Americans and British merchants at over one million pounds annually.¹¹² The naval stores, sugar, rum and tobacco in the storehouses were valued at in excess of three million pounds. 'Included in the goods seized were consignments from British and West Indian merchants which had been entered under free port regulations in the expectation of immense profits, as well as stocks of resident Englishmen.'¹¹³

¹⁰⁹Admiral Rodney and General Vaughan to Lord Germain 3 July 1781. C.O. 318/7, fos. 117-117d; Copy of his Majesty's instructions to Sir George Brydges Rodney, in Sir George Brydges Rodney, *Letters...to His Majesty's Ministers...Relative to the Capture of St. Eustatius...* (London, 1790), pp. 5-6; Donald MacIntyre, *Admiral Rodney* (London, 1962), pp. 161-162; Mackesy, *The War for America*, pp. 416-417.

¹¹⁰Extract of letter from Admiral Rodney to Rear-Admiral Samuel Hood, 8 March 1781, in Rodney, *Letters*, p. 33; Admiral Rodney to Philip Stephens, 4 February 1781. Adm. 1/314, fo. 4d.

¹¹¹Rodney to Stephens, 6 March 1781. *Ibid.*, fo. 47d.

¹¹²Rodney to Stephens, 4 February 1781. *Ibid.*, fo. 5.

¹¹³*Ibid.*, fos. 7-9; Ragatz, *The Planter Class*, p. 160; MacIntyre, *Rodney*, p. 162; Wright and Fayle, *Lloyds*, p. 157.

Rodney and Vaughan, disappointed by the assistance given to the Americans by the St. Eustatius merchants, showed them no mercy. Their goods were confiscated, and all foreign merchants were expelled from the island, being allowed to take only their personal belongings and household goods.¹¹⁴ Samuel Curson and Isaac Gouverneur were sent to England as prisoners of state in the *Vengeance*, commanded by Commodore Hotham, and probably selected for its name.¹¹⁵ They were committed for treason, but were later released. In justifying this plunder of St. Eustatius and the treatment of the merchants, Rodney wrote:

We thought that this Nest of Smugglers, Adventurers, Betrayers of their Country, and Rebels to their King, had no right to expect a capitulation, or to be treated as a respectable People: their atrocious Deeds deserved none, and they ought to have known the just Vengeance of an injured Empire, though slow, is sure.¹¹⁶

Rodney and Vaughan remained at St. Eustatius for three months hoping to destroy 'the Nest of Vipers, which preyed upon the Vitals of Great Britain'.¹¹⁷ This delay has raised a measure of controversy among historians.¹¹⁸

¹¹⁴Rodney to Stephens, 6 March 1781. Adm. 1/314, fo. 50; Jameson, 'St. Eustatius in the American Revolution', *A.H.R.*, Vol. VIII, pp. 703-704.

¹¹⁵Rodney to Commodore Hotham, 4 March 1781, in Rodney, *Letters*, pp. 25-26.

¹¹⁶Rodney to Stephens, 6 March 1781. *Ibid.*, p. 29.

¹¹⁷Extract of Letter from Rodney to James Cuninghame, Governor of Barbados, 17 February 1781, in Rodney, *Letters*, p. 17.

¹¹⁸MacIntyre, *Rodney*, p. 167; Mackesy, *The War for America*, p. 417, Jameson, 'St. Eustatius in the American Revolution', *A.H.R.*, Vol. VIII, pp. 706-707.

Captain Donald MacIntyre who is sympathetic to Rodney dismisses most of the criticisms levied against him by his subordinate officer Sir Samuel Hood.¹¹⁹ Mackesy and Jameson disagree. Mackesy argues that Rodney's delay and his partial relinquishment of his command to Hood were inexplicable and resulted in his failure to complete his plans for the capture of Curacao and Surinam.¹²⁰ Because of his prolonged stay, the French squadron under Count De Grasse slipped away from Hood's surveillance and joined the remaining French ships at Martinique,¹²¹ thereby gaining the superiority of the seas, which resulted in the loss of Tobago.¹²² Jameson is very critical of Rodney's actions which he sees as 'serious professional errors'. He views the juncture of the French squadrons as a turning point in the American War, and concludes that 'Yorktown itself might never have happened, if this juncture of the French had not been effected, and in all probability it would not have been effected if Rodney, with his whole fleet, had been ... to the windward of Martinique'.¹²³

When Rodney's confiscation of all properties in St. Eustatius became known in St. Kitts, the merchants

¹¹⁹MacIntyre, *Rodney*, p. 165.

¹²⁰Mackesy, *The War for America*, p. 417.

¹²¹Jameson, 'St. Eustatius in the American Revolution', Vol. VIII, pp. 706-707.

¹²²John Pinney to Simon Pretor, 30 June 1781. Pinney Papers: L.B. 5, p. 126.

¹²³Jameson, 'St. Eustatius in the American Revolution', Vol. VIII, p. 707.

sent a delegation to plead their cause with the Admiral, but it returned without an answer. They then appointed Mr. Glanville their agent to negotiate for the release of the goods.¹²⁴ Rodney hastily rejected their appeals.¹²⁵ The inhabitants were so infuriated that they threatened to arrest Rodney and Vaughan if they ever went to St. Kitts again.¹²⁶ The Assembly of St. Kitts took up the issue, and passed a motion calling for an address to the King complaining of 'the oppressive illegal and unwarrantable proceedings' of the Commanders who had violated 'the laws of nations' by their disregard of the rights of the conquered.¹²⁷

The destruction of the illegal trade to St. Eustatius increased the hardships of the British West Indian planters since it cut off their supplies of provisions, horses, livestock and lumber.¹²⁸ Houston and Company immediately wrote to its agents inquiring if they had lost everything.¹²⁹ Merchants from the neighbouring islands levied charges of misconduct against Rodney. Pinney, who was quite disturbed by what he called 'the extraordinary conduct of Admiral Rodney and

¹²⁴Anonymous, *Speech*, p. 19.

¹²⁵MacIntyre, *Rodney*, p. 164. *Ibid.*

¹²⁶Extract of a letter from Rodney to Samuel Hood, 28 February 1781, in Rodney, *Letters*, p. 18.

¹²⁷Anonymous, *Speech*, pp. 1-2, 7.

¹²⁸Pinney to Pretor, 26 April 1781. Pinney Papers: L.B. 5, p. 110.

¹²⁹Houston & Co. to Henry Johnston, 17 April 1781. Houston Papers: N.L.S. MSS. 8794, p. 523; Houston & Co. to Thomas Haliburton, 17 April 1781. *Ibid.*, p. 524.

General Vaughan,¹³⁰ expected some form of retaliation from the French, and wrote to William Croker: 'Today we are in possession of easy fortunes - tomorrow we possibly may be reduced to a state of beggary'.¹³¹ Pinney remained obsessed with the question for months. His letters to England contain blistering attacks on Rodney's and Vaughan's conduct. He once claimed that Rodney's zeal for his country had 'been damped by the Riches, he acquired in plundering, in the most disgraceful & inhuman manner, the inhabitants of St. Eustatius'.¹³²

With the capture of the Dutch colony, the planters were forced to rely even more on supplies from Britain and Ireland, which could not meet the demands of the islands (see Chapter II). Orders to England were doubled. For example, Pinney wrote to William Manning:

I sent you an invoice for Plantation and Family stores, and, as I then thought, for a sufficient quantity of Provisions, but I find by the capture of St. Eustatius, our situation, in regard to supplies, is become more critical than ever: I must therefore earnestly entreat you will send an addition to my invoice by the very first conveyance¹³³

The loss of the St. Eustatius trade was also a severe psychological blow to the British West Indian merchants. There is every likelihood that by trading with the Americans in the foreign islands, they were maintaining their old commercial connection which could

¹³⁰ Pinney to Pretor, 26 April 1781. Pinney Papers: L.B. 5, p. 110.

¹³¹ Pinney to William Croker, 26 April 1781. *Ibid.*, p. 111.

¹³² Pinney to H. Pouncy, 25 July 1781. *Ibid.*, p. 129.

¹³³ Pinney to Manning, 3 September 1781. *Ibid.*, p. 143.

be fully renewed once the War was over. Now, they had lost everything. An extract of a letter from St. Kitts in October 1781 tells of the mood and despair of the merchant class:

The times here are extremely dull, and the island is in a great measure ruined by the capture of St. Eustatius, for no manner of trade is carried from here. I hope you have better times in Jamaica; the people here seem mostly absorbed in a melancholy state of despondency. The trade of St. Eustatius was of service to indigent individuals, but now the small pittance they gained from it is lost, and the poor creatures reduced to beggary. This is a true picture of the island of St. Christopher's; and I believe I may include all the Windward Islands.¹³⁴

While the local inhabitants viewed the capture of St. Eustatius with grave forebodings, some government officials welcomed it. Anthony Johnson, Commander-in-Chief of the Leeward Islands, claimed that this had 'destroyed that nest of heterogeneous beings, who have been so long a pest to the English nation, and under the mask of friendship have been the vultures on our vitals'.¹³⁵ But if Rodney and Vaughan had successfully destroyed the illicit commerce between St. Eustatius and the British colonies, they failed to destroy the illegal trade between the Caribbean islands and America. A large part of the goods confiscated at St. Eustatius, and auctioned at public sales, was taken to St. Thomas where they were

¹³⁴ Extract of a letter to Gentleman in Kingston, 14 October 1781, in *Supplement to the Cornwall Chronicle and Jamaica General Advertiser*, 10 November 1781, Vol. I, No. 359:1.

¹³⁵ Anthony Johnson to Lord Germain, 13 February 1781. C.O. 152/61, fo. 29.

sold to the rebels.¹³⁶

That island now replaced St. Eustatius as the centre of the illegal trade to America, and the high prices of everything in the British colonies assured the merchants participating in it of a profit. Plans between the merchants of Antigua and St. Kitts, and their counterparts in Guadeloupe and St. Thomas, were agreed upon for making use of the Flags of Truce trade which until now was not prevalent during the America War. Vessels were also legally cleared out from St. Kitts and Antigua for Montserrat, but instead they went directly to the foreign islands.¹³⁷ Reciprocal arrangements were made to provide the participating merchants with British and Danish papers.¹³⁸ The help of the Bermudians was sought, and they persuaded Governor Browne to grant them Flags of Truce to go to the British islands, but then went directly to St. Thomas.¹³⁹ Consequently, many Danish vessels carrying British papers traded with the sugar colonies.¹⁴⁰ Governor Shirley of the Leeward Islands attempted to prohibit the trade,¹⁴¹

¹³⁶Anonymous, *Speech*, p. 31.

¹³⁷Copy of letter from Rodney to John Laforey, Commissioner of his Majesty's Yards at Antigua, 23 March 1781, in Rodney, *Letters*, pp. 43-44.

¹³⁸Thomas Tipping to Thomas Thompson, 1 March 1781. C.O. 152/61, fo. 38d.

¹³⁹Barrow to Franchlyn (no date). Add. MSS. 38,376, fo. 93.

¹⁴⁰Governor James Cuninghame to the Earl of Shelburne, 11 May 1782. C.O. 28/56, fo. 334.

¹⁴¹Governor Shirley to Lord Germain, 30 August 1781. C.O. 152/61, fo. 127.

but for fear of offending the Danish Court, nothing was done to stop the illicit commerce, and though commended for upholding British commercial laws, Shirley was warned not to violate Danish neutrality.¹⁴²

During eighteenth-century wars in the Caribbean, the British merchants made substantial profits by trading with the enemy.¹⁴³ Moreover, the special relationship which the West Indian colonists had with the Americans, before 1776, gave rise to the development of smuggling on a large scale during the War. The first proviso of the Prohibitory Act was the most significant loophole in British economic policy. Likewise, the Tobacco Acts of 1778 and 1780 also encouraged the illegal trade through St. Eustatius, and in spite of the lack of statistics to show the precise volume of the trade, it was large enough to worry both British and American officials.

The American War, therefore, did not interfere very seriously with the quantity of British manufactures reaching the rebellious colonies where many merchants refused to outlaw English goods. The Committee of the Privy Council for Trade used this fact to oppose allowing American vessels to trade with the West Indies after the War.¹⁴⁴ Some American officers had also realised that the extensive illegal trade had caused

¹⁴² Lord Germain to Governor Shirley, 5 December 1781. *Ibid.*, fos. 132-132d.

¹⁴³ See Pares, *War and Trade*, Chapter IX.

¹⁴⁴ Minutes of the Privy Council for Trade, 25 March 1784. B.T. 5/1, fo. 38d.

some rebel merchants to retain some loyalty to the British government. In 1781 General John Sullivan wrote to George Washington: 'the traffic carried on with the enemy is alarming, as it not only serves to furnish them with necessaries, but tends to reconcile our citizens to the idea of renewing their connection with Great Britain, and of course disaffects them to our government.'¹⁴⁵ Similarly, James Madison wrote that the illicit trade had drained the states of their specie, and had disrupted their finances. But efforts by Congress to get the cooperation of the states to prohibit this commerce failed.¹⁴⁶

The clandestine trade with New York had also harmed the efforts of Congress to develop trade with foreign nations,¹⁴⁷ and at the end of the War, therefore, Britain's position in the economic life of the United States had not changed as much as might have been expected. Furthermore, the illegal commerce between the rebels and the West Indian colonists, although not nearly enough to replace pre-war American-West Indian trade, had served the interests of both groups, and was extremely necessary in helping the

¹⁴⁵ John Sullivan to George Washington, 6 March 1781, in Jared Sparks, ed., *Correspondence of the American Revolution* (Boston, 1856), Vol. III, p. 253.

¹⁴⁶ James Madison to Edward Randolph, 18 June 1783, in Gallaird Hunt, ed., *The Writings of James Madison* (New York, 1900), Vol. I, p. 210; Madison to Randolph, 18 June 1782, in Burnett, ed., *Letters*, Vol. VI, p. 373.

¹⁴⁷ The Virginia Delegates to the Governor of Virginia, 25 June 1782, in Burnett, *Letters*, Vol. VI, p. 372.

planters to maintain the production of their staples. Whatever criticisms might be hurled against the British Caribbean merchants for trading with the enemy, they had buoyed up the West Indian sugar economy by keeping alive the commercial connections between Britain and her former colonies.

CHAPTER IV

AMERICAN PRIVATEERING IN THE CARIBBEAN

During wars in the seventeenth and eighteenth centuries, privateering by the British colonists in America and the West Indies flourished in the North Atlantic and Caribbean waters, but in these wars there was little interference of the colonial trade. The Board of Admiralty had to contend only with French privateers, and were therefore 'able to form a fairly accurate estimate of the number of privateers which each French port was likely to equip....'¹ During the American War, however, the overall threat of rebel privateers to the West Indian trade could not be easily assessed, and privateering became an efficient weapon of the Americans, and an important obstacle to the continuation of West Indian commercial operation.²

Conditions in the West Indies favoured the growth of American privateering. When convoys made their landfall at Barbados, the merchantmen were usually left to make their own way across the Caribbean to their designated ports. Since the British islands were intermingled with those of the Danes, French and

¹Crowhurst, 'British Oceanic Convoys', p. 61.

²Davis, *The Rise of English Shipping*, p. 332.

Dutch, American privateers, using the foreign ports as bases, were able to prey on British shipping. The uninhabited coastal areas of the islands abounded with secluded bays, creeks, and passages among reefs, which were inaccessible to large warships sent to cruise along the trade routes when the merchant fleet from England was expected to arrive in the West Indies.³ These cruisers did offer some protection to the outward-bound merchantmen, but as few of the ships under convoy were well-armed and provided with letters of marque, since they travelled across the Caribbean with little protection, they became easy prey for American privateers stationed in the ports of the foreign islands.

While the capture of the outward-bound merchantmen would distress the islands by causing severe shortages, the capture of the homeward-bound ships was one of the most important elements of American strategy; it aimed at forcing the British government to withdraw part of its fleet from the American coast to defend its commerce, thus enabling the rebels to import arms, and all classes of contraband goods. But without naval bases in the West Indies, however, this plan was almost impossible to operate. It was thus a foregone conclusion that the French and Dutch Governors were willing to provide the Americans with the necessary refuge and other facilities, in exchange for provisions and lumber, when they allowed the rebellious colonies to station agents in their

³Crowhurst, 'British Oceanic Convoys', pp. 135-136.

governments.⁴ The most important of these was William Bingham, a wealthy man who gained immense influence with the French authorities in Martinique and St. Eustatius,⁵ and Richard Harrison in Martinique, Abraham van Bibber, and Samuel Curson, partner of Isaac Gouverneur, agent for the Continental Congress, at St. Eustatius.

These agents were responsible for a variety of duties: such as procuring and shipping supplies, refitting privateers, disposing of prizes, obtaining convoys for American merchantmen, and sending intelligence to Congress concerning British naval operations in the West Indies, as well as in Europe and America. Some of the information regarding the location and movement of British troops and warships was relayed to the rebels by the British West Indian colonists, thereby enabling American merchantmen and privateers to evade British warships and to reach St. Eustatius safely. For example, information was sent to the Dutch island from Antigua at the beginning of February 1776, to the effect that the *Portland*, flagship of the Leeward Islands squadron, was stationed off its coast; that the *Hind* and *Viper*, sloops of war, along with an armed snow loaded with wine and troops were expected to sail from Antigua on 6 February for Boston, and that the troops

⁴James Young to Philip Stephens, 3 March 1776. Adm. 1/309, fo. 414.

⁵Lord Macartney to Lord Germain, 22 October 1777. C.O. 101/21, fo. 64d; Robert Walter to James Young, 9 March 1776. Adm. 1/309, fos. 452-452d; Thomas Whitings to American Agents, 6 February 1777. Adm. 1/310, fo. 149; Governor Morris to James Young, 24 February 1778. *Ibid.*, fos. 234-234d.

from St. Vincent were ordered to America.⁶

The inhabitants of St. Kitts who maintained close commercial connections with the rebels throughout the War also sent them military reports which were published in American newspapers. For example, a letter sent from Basseterre on 6 July 1776, and carried in the *Connecticut Courant* conveyed this information: 'We hear orders are expected or are already arrived from England, giving Admiral James Young directions to cut out of every foreign port all American vessels that may be found there'.⁷ In some instances, reports were first sent from England to the British West Indies, and then either directly to America, or via friends in St. Eustatius. 'It is by the West Indies that the Rebels receive all their information', wrote Lord Dunmore, 'it is first sent to the British West India Islands and from thence conveyed to St. Eustatia with which Place the rebels have a constant intercourse'.⁸

But although the rebels received help and information from the British colonies, it was the foreign governments on which they relied most for war materials, as well as news regarding the movement of the British squadrons in the West Indies. The American War, from

⁶Martin, 'The West India Trade, 1776-1777'. *A.H.R.*, Vol. XXXIX, pp. 703-704; Charles Oscar Paullin, *The Navy of the American Revolution* (Cleveland, 1906), p. 308.

⁷'News from the British West Indies;', in *Connecticut Courant*, Williams James Morgan, ed., *Naval Documents of the American Revolution* (Washington, 1970), Vol. V, p. 957.

⁸Lord Dunmore to Lord Germain, 31 July 1776. *Ibid.*, pp. 1313-1314.

the onset, had all the appearances of being a long one, and of draining Britain of her resources, by distressing the Caribbean colonies - one of the fountains of her wealth. In 1774 the Comte de Vergennes, Charles Gravier, became Foreign Minister of France, and he believed that France should grasp the opportunity provided by the quarrel between Britain and the American colonies to retrieve her losses in the Seven Years War. Consequently, he embarked on a policy of pretending to observe France's right as a neutral power to allow American ships to enter French ports; while, at the same time, holding out the olive branch to quell any suspicion by the British government that France favoured the American cause, and was therefore secretly aiding the rebels. In order to effect his double role, Vergennes used the services of Pierre Augustin Caron, the author of *Figaro*, under the pseudonym Beaumarchais.⁹ When Caron visited London in 1774, he was introduced to John Wilkes, Lord Mayor of London and at that time an avowed supporter of the Americans. On his return to London in 1776, he met Arthur Lee who acted as American agent, and together they devised a plan to establish a dummy company which was to operate in a private capacity to furnish the Americans with war supplies in exchange for American products.

On Caron's return home, he persuaded Vergennes

⁹Henry Steele Commager and Richard Morris, ed., *The Spirit of 'Seventy-Six, The Story of the American Revolution as Told by Participants* (London, 1967), p. 667.

to assist in the establishment of Roderigue Hortalez and Company to trade with the West Indies,¹⁰ whence the Americans would receive, without implicating the French Government, military and naval supplies. The government secretly contributed one million livres, and promised another million from Spain; while a third was contributed by wealthy merchants. The French arsenal supplied some arms, rendered obsolete by the army, which Caron either paid for in cash, or replaced with modern ones. To guard against any untimely recognition of the relationship between Hortalez and Company and the French Government, all correspondence with Caron was written by Vergennes' young son.¹¹

Although the foreign governments concerned denied that they were supporting the Americans in any way and had formally declared neutrality at the outbreak of hostilities, they did nothing to stop the violation of that neutrality by their colonial officials.¹² Elisha Hinman, who was sent by Congress on a secret mission to France in the middle of 1777, gave the following as his private observations on the foreign governments' attitude towards the American War:

The French are really friends at Heart

¹⁰*Ibid.*, pp. 668-669; Bernard Fay, *The Revolutionary Spirit in France and America* (London, 1928), pp. 58-59.

¹¹See William Stinchcombe, *The American Revolution and the French Alliance* (New York, 1969), p. 9.

¹²Clark Gayton to Francis Aimar de Montiel, Commander-in-Chief of French squadron at Saint Dominque, 18 September 1777. Adm. 1/240, fos. 307-307d.

to the Americans in the present Controversy, but rather seem to decline a War at present, altho' large Armaments are fitting and getting in readiness both by Sea and Land. They will give America every assistance in their Power, but not Publicly, and are determined that a final separation of America from Great Britain shall take place, even at the Expence of a War - Spain may be said to be equally disposed as France.¹³

During the American War, therefore, much of the military and naval supplies reaching the continent was routed through colonial ports of the European countries. For example, a common practice was to clear out shipments of arms from Martinique for the French islands of St. Pierre and Miquelon in the Gulf of St. Lawrence, but once these vessels reached the coast of America, they slipped into one of the many rebel ports, and this proved a very effective way of escaping British warships.¹⁴ To curb this practice, Vice-Admiral Young ordered his captains to stop and search all vessels going to St. Pierre, or Miquelon, for contraband goods, without violating French neutrality or creating an international dispute.¹⁵ Rear-Admiral Gayton also sent Captain Douglas in the *Squirrel* to cruise along the Windward Passage to intercept American privateers and contraband traders, but warned him not to violate French or Spanish territorial waters.¹⁶

¹³Elishe Hirman to Ellis Gray, 26 October 1777. C.O. 101/21, fo. 184d. A copy of the letter is in Adm. 1/310, fos. 254d-255.

¹⁴Walter to Young, 9 March 1776. Adm. 1/309, fos. 452-452d.

¹⁵James Young to the Captains of the *Portland*, *Experiment*, *Argo Hind*, *Lynx* and *Pomona*, 31 March 1776. Adm. 1/309, fo. 463.

¹⁶Rear-Admiral Gayton to Captain Douglas, 25 August 1776. Adm. 1/240, fo. 317.

In consequence of Young's instructions, Sir Charles Hammond, captain of the *Roebuck*, on his way from Delaware to Antigua, seized the French ship *Le Felicite*, on a voyage from Guadeloupe to Miquelon, which was carried into Antigua, and libelled in the Vice-Admiralty Court for trading with the rebels, but the ship was released because it was outside British territorial waters when taken.¹⁷ However, when Count D'Arbaud, the Governor of Guadeloupe complained of the 'unwarrantable' and 'illegal' seizure of *Le Felicite* which was travelling from one French port to another,¹⁸ Young retorted that the ship's 'Clearance for Miquelon was collusive and intended to Cover an Illicit contraband Trade ... openly carried on between the French West India Islands and His Britannic Majesty's Rebellious Subjects in America'.¹⁹

Around the same time, the capture of *Le Guillaume*, a French brigantine, on a supposed voyage from St. Pierre to Martinique, also brought a complaint from the Governor Count D'Argout,²⁰ a wealthy native of St. Dominique, who, through the marriage of his daughter, had good connections in France. Young counter-charged that the Governor was protecting American privateers enabling them to attack and destroy British shipping and coastal villages.

¹⁷Young to Stephens, 9 March 1777. Adm. 1/309, fos. 656, 656d.

¹⁸Count D'Arbaud to James Young, 14 February 1777. *Ibid.*, fos. 663-663d.

¹⁹James Young to Count D'Arbaud, 20 February 1777. *Ibid.*, fo. 665.

²⁰Count D'Argout to James Young, 2 February 1777. *Ibid.*, fos. 659-659d.

Requesting D'Argout to end these practices, Young pointed out to him that he and other French Governors had violated their government's pledge of neutrality by allowing American privateers to use their ports as bases.²¹

Other charges and counter-charges were made by British and French colonial authorities over the latter's support for the rebels, and the former's violation of French neutrality. In 1777 Governor Thomas Shirley of Dominica became embroiled in a dispute with D'Argout over the seizure of the French ship *St. Jacques*, commanded by Bernard Descaseaux, captured by a British warship, and libelled in the Vice-Admiralty Court of Dominica. The ship was carrying a cargo of pork, candles, other articles purchased from American and even British merchants. D'Argout thus maintained that it was not illegal to send military stores and provisions from one French port to another, and therefore, 'to seize them is nothing else than to subvert by unjust force the principles of trade established by all civilized Nations, to violate openly the Law of Nations'.²² But when this form of commerce was used as a cover to supply the Americans, it could not be tolerated by the British officers.

Shirley, on his part, justified the seizure of

²¹James Young to Count D'Argout, 7 February 1777. *Ibid.*, fos. 662-662d.

²²Count D'Argout to Thomas Shirley, 14 April 1777. *Ibid.*, fos. 138-139.

the *St. Jacques*, and objected to the 'severe strictures and animadversions' used by D'Argout against the conduct of the British captains who were moved to make these seizures because of French protection and assistance for the Americans.²³ Of course, these accusations were denied, but Shirley remained adamant that the French Governor was guilty 'of a most flagrant breach of the Articles of Peace between the two Nations in regards to the islands of St. Pierre and Miquelon'.²⁴

Through his connections in France, and partly because of the numerous complaints against him, D'Argout was given the command of Saint Domingue in 1777 on the death of Count D'Enery.²⁵ But his support for the Americans continued. On one occasion when he complained to Governor Dalling about the tender *Snail* which was harassing French merchantmen, Dalling did not conceal his contempt for D'Argout's policy. He wrote:

The impediment given to your Commerce I am afraid, considering the Times, and the cloak so kindly lent to that of our Rebels, must occasion some little stoppage, now and then, to the Fair Traders: but what, are your disquietudes, and vexations to our real captures and plunderings to the ruin of many a wretched family²⁶

Though the British officers might not have adhered very strictly to the law of nations, which was

²³Shirley to D'Argout, 18 April 1777. *Ibid.*, fo. 140.

²⁴Governor Shirley to Lord Germain, 17 April 1777. *Ibid.*, fo. 128.

²⁵Macartney to Germain, 22 October 1777. C.O. 10/21, fos. 63-63d.

²⁶John Dalling to Count D'Argout, 31 January 1778. C.O. 137/173, fo. 114.

more a code of behaviour at this time than a law in the strict sense of the word, and had violated declared French and Dutch neutrality, the foreign governors were equally at fault. Despite their protestations of neutrality, they, nevertheless, provided the Americans with much of the same facilities they would have received in their home ports. From the outbreak of the War, therefore, the rebels considered Martinique their 'chief magazine and asylum', and D'Argout their best ally.²⁷ 'Whatever Trade the rebels carry on is with the French...whatever captures are made in these seas, it is the French who receive the benefits of them', wrote Lord Macartney.²⁸ For instance, when a Guineaman was carried into French colonial ports, no legal condemnations of these vessels were ever made, because the government, as a neutral power, could not have allowed prize cases to be heard in her courts of admiralty; and therefore the Americans were forced to make presents of several slaves to the local French authorities before they were allowed to sell any.²⁹

Continental warships, and other privateers also visited St. Eustatius occasionally until that island's capture in 1781, but this was mainly on commercial errands. Cape François, in Saint Domingue, and Havana,

²⁷Macartney to Germain, 22 October 1777. C.O. 101/21, fo. 63.

²⁸Macartney to Germain, 6 March 1777. C.O. 101/20, fos. 128d-129.

²⁹Young to Stephens, 24 February 1778. Adm. 1/310, fo. 234; Paullin, *The Navy*, p. 266; Hay to Germain, 12 July 1777. C.O. 28/56, fos. 127-127d.

in Cuba, were also used as bases later in the War. But it was chiefly at Martinique that rebel vessels were repaired, refitted and provisioned when cruising in Caribbean waters. The *Rattle Snake*, commanded by David McCulloch, for example, was converted into a ship at the royal dock yards there, with the help of government workers, and allowed to fly the American flag while at Martinique. Governor Burt was incensed by the action of the French Governor, and told him, in no uncertain terms, that the use by the rebels of the facilities of a friendly nation for military purposes was 'a... flagrant Encouragement to the American rebellion'.³⁰

The removal of Count D'Argout from Martinique did not improve matters.³¹ At first, his successor, the Marquis de Bouillie, made attempts to quiet the fears of the British officers. He sent representatives to all the Commanders-in Chief assuring them that France had no intentions of assisting the Americans; that he disapproved of his predecessor's policy, and he promised to work to develop harmonious relations with the British islands.³² Notwithstanding his promises, and in spite

³⁰ Governor Burt to Marquis de Bouillie, 10 September 1777. C.O. 152/56, fo. 211; see Deposition of William Leecraw and Jonathan Wheeler, 9 September 1777. *Ibid.*, fo. 209; Valentine Morris to Lord Germain, 2 April 1777. C.O. 265/4, fos. 120-120d.

³¹ Germain to Macartney, 2 July 1777. C.O. 101/20, fos. 128d-129; Lord Germain to Thomas Shirley, 2 July 1777. C.O. 71/6, fos. 149d-150; Lord Germain to Governor Burt, 30 November 1777. C.O. 152/57, fo. 126d.

³² Macartney to Germain, 11 July 1777. C.O. 101/20, fo. 231; Macartney to Germain, 22 October 1777. C.O. 101/21, fo. 63d; Marquis de Bouillie to James Young, May 1777. Adm. 1/310, fos. 117-117d; Burt to Germain, 13 June 1777. C.O. 152/56, fo. 112; Young to Stephens, 25 May 1777. Adm. 1/310, fo. 114; Hay to Germain, 12 July 1777. C.O. 28/56, fo. 127.

of the fact that he had issued a proclamation banning American privateers from entering the ports in Martinique, even seizing a few of them, de Bouillie did not maintain his initial policy. The same practice of allowing the rebels to carry their prizes into Martinique, and to sell them without condemnation continued.³³ Furthermore, he justified his conduct on the grounds that Americans and West Indians were British subjects who were equally entitled 'to the freedom of the ports & commerce, with the French, the same as any nation in peace & Friendship with that Crown'.³⁴ This doctrine was particularly worrying to the West Indian officials, especially since de Bouillie had secretly assured Bingham that he was authorised by his home government to give protection and assistance to rebel privateers.³⁵ Under him, St. Pierre thus became 'more American than...French...', wrote one Governor.³⁶

De Bouillie even embarked on a new policy of allowing French warships stationed at Martinique to convoy American merchantmen going to the continent. On such occasions, American vessels flying French colours were convoyed northward of Anegada, one of the Virgin Islands, whence they sailed along the coast of the

³³ Shirley to Germain, 26 November 1777. C.O. 71/7, fo. 11; Governor Hay to Marquis de Bouillie, 13 August 1777. C.O. 28/57, fos. 5-5d.

³⁴ Hay to Germain, 12 July 1777. C.O. 28/56, fo. 127; Macartney to Germain, 22 October 1777. C.O. 101/21, fo. 63d.

³⁵ Morris to Germain, 3 August 1777. C.O. 260/4, fo. 181, p.s. Shirley to Germain, 11 June 1777. C.O. 71/6, fos. 153-153d.

³⁶ Burt to Germain, 29 January 1778. C.O. 152/57, fo. 238.

foreign islands to North America. Young was incensed. He became convinced that the French should not be allowed to flout their pledges of neutrality so openly, and he was anxious to do something about it. He wanted to test French reaction to his stopping and searching American vessels under convoy, but nothing came of his threat.³⁷

The other European colonial powers adopted policies similar to those of the French. At home, they passed edicts and proclamations prohibiting the exportation of military and naval stores;³⁸ but in the West Indies, their officials and merchants openly disobeyed them. For example, the official policy of the United Provinces was harmful to the interest of the merchants, and the States-Generals closed their eyes to the merchants' refusal to obey the restrictions on trade with America. Consequently, St. Eustatius was used as the chief commercial link between Europe, Britain and the rebellious colonies. The Dutch ports, like those of the French, also offered some shelter to American privateers, and the colonial authorities there repeatedly complained of the infringement of Dutch neutrality by British cruisers, and non-commissioned privateers. In May 1776, for example, Abraham Heyliger,

³⁷ Young to Stephens, 13 March 1778. Adm. 1/310, fo. 229; see also Burt to Germain, December 1777. C.O. 152/57, fo. 257d; Morris to Germain, 15 January, 4 February 1778.. C.O. 260/5, fos. 69, 134-134d.

³⁸ Young to Stephens, 9 March 1777. Adm. 1/309, fo. 657d.

Governor of St. Eustatius, accused Captain John Colpoys of seizing an American vessel which was anchored in that port. An earlier complaint against Captain William Garnier of the *Argo* went unnoticed. Heyliger's objections to the seizure of American vessels stemmed partly from his involvement in the American trade, and his belief that 'the Political contention between Great Britain and her American Colonies neither hath or ever can furnish... Britain with any plausible reason for offering causeless insults to the flag of any neutral power'.³⁹

Like the French, the Dutch Governors never admitted that their support for the Americans had provided the cause for the violation of their neutrality. Furthermore, the foreign governors expected the immediate redress of their grievances. In spite of the protection given to the rebels, however, Young, in accordance with British policy of observing French and Dutch neutral status, disapproved of Colpoy's action. But at the same time, Young could not help pointing out that Heyliger had repeatedly disobeyed all the declarations of the States-Generals that their colonial officers were instructed not to support the Americans.⁴⁰ In the middle of 1776, Heyliger was replaced by the Secretary Johnannes de Graaf, one of the wealthiest merchants in

³⁹Abraham Heyliger to James Young, 14 May 1776. Adm. 1/309, fo. 486.

⁴⁰James Young to Abraham Heyliger, 20 May 1776. *Ibid.*, fos. 487-488.

St. Eustatius.

But de Graaf's interest was best served by supporting the rebels, and therefore he did no better from the British point of view. He immediately opened the island's port to American merchantmen and privateers, and he became the first foreign Governor to salute the American flag.⁴¹ Craister Greatheed complained bitterly over the recognition given to the rebels by the Dutch fort's nine-gun salute of the armed brig *Andrew Doria*, and demanded a formal renunciation of the fort's action.⁴² Denying that any salute was given to the *Andrew Doria*, de Graaf called the reports 'vague, general and uncircumstanced', propagated for the sole purpose of undermining Anglo-Dutch relations, and he therefore refused to restrain the island's commerce with America, without the expressed authority of the West India Company, or to justify his conduct to anyone but his superiors.⁴³

The Governor's response was unsatisfactory, and Captain Colpoys, on a visit to St. Eustatius, refused to salute the Dutch fort, until de Graaf had made a formal disavowal of the charges.⁴⁴ Not losing sight of

⁴¹Affidavit of James Fraser, 16 December 1776. C.O. 152/56, fos. 22-22d.

⁴²Craister Greatheed to Johannes de Graaf, 17 December 1776. *Ibid.*, fo. 8d.

⁴³Johannes de Graaf to Craister Greatheed, 23 December 1776. *Ibid.*, fos. 10-11.

⁴⁴Captain Colpoys to Governor de Graaf, 16 December 1776. Adm. 1/309, fo. 600d.

the importance of neutrality to the Dutch merchants, in general, and to those in St. Eustatius in particular, plus his own interest in the American trade, de Graaf denied that to salute the *Andrew Doria* was to show disrespect to the British government. His excuse that his government never asked foreign merchantmen entering Dutch ports for passports, but returned their salutes,⁴⁵ was an attempt to whitewash the incident. In February 1777, Sir Joseph Yorke, the British Ambassador to the United Provinces, delivered a harshly worded memorandum from the British government demanding of the States-Generals a formal disavowal of the fort's action, and the immediate recall and dismissal of de Graaf.⁴⁶ But before any action was taken, other complaints concerning American privateers being allowed to carry prizes to St. Eustatius were sent to Lord Germain. For instance, two British merchantmen, the *Lancashire Hero* and the *Irish Gimblet*, were captured, and carried to the Dutch colony. In spite of repeated appeals, Governor Burt failed to procure their release.⁴⁷ Similarly, despite several requests, de Graaf refused to release the *Laurel* privateer of Antigua captured by the *Rattle Snake*.⁴⁸

The numerous complaints from the West Indian

⁴⁵De Graaf to Colpoys, 16 December 1776. *Ibid.*, fo. 601.

⁴⁶Southey, *History of the West Indies*, Vol. II, p. 127; Edler, *The Dutch Republic and the American Revolution*, p. 45.

⁴⁷Burt to Germain, 28 April 1778. C.O. 152/58, fo. 45d.

⁴⁸*Ibid.*; Protest of Richard Browning, 9 February 1778. *Ibid.*, fos. 52-52d.

Governors, transmitted to Sir Joseph Yorke, were causing serious cracks in Anglo-Dutch relations. But it was with great reluctance, however, that the States-Generals disavowed de Graaf's conduct, and instructed him to return home to answer the charges against him. Count van Bylandt was ordered to replace him, and the States-Generals reaffirmed their initial policy of neutrality, by ordering its officers in the West Indies to observe the ban on war materials to the American colonies. De Graaf arrived home in July 1778, and submitted a report of his conduct in St. Eustatius, which was supported by two directors of the West India Company who recommended that he should be found innocent of all charges. Pressure from many of the provinces forced the government to absolve him of any wrong-doing, and de Graaf was ordered to return to St. Eustatius.⁴⁹

But neither van Bylandt's appointment nor the orders prohibiting the sale of military and naval stores to the rebels were observed by the local merchants; van Bylandt estimated that during the thirteen months he was at St. Eustatius over 3,182 vessels sailed from there to America. In 1779 alone above 12,000 hogsheads of tobacco and 1,500,000 ounces of indigo were received from America in exchange for naval and military supplies.⁵⁰

Yet, in spite of the foreign governments'

⁴⁹Edler, *The Dutch Republic and the American Revolution*, pp. 59-60.

⁵⁰*Ibid.*, p. 62; Burt to Germain, 28 April 1778. C.O. 152/8, fo. 25.

repeated violation of their neutrality, British policy towards them remained basically non-aggressive. The captains of some warships inadvertently searched and even captured American vessels within French and Dutch territorial waters, and in other cases they also failed to observe the very strict regulations given to them by their Commanders-in-Chief; but they were never supported on occasions when they had blatantly violated French or Dutch neutrality. The British government also insisted on a strict observance of the declared status of the European countries, and its Governors were warned not to give 'any real Cause of Complaint to the Court of France, or, to any other Power....in Amity with the King....'⁵¹

The neutral status of the foreign nations posed the greatest problems for the security of the British West Indies and their trade. Had Britain gone to war at the outbreak of the American Revolution, when France was still unprepared, the wholesale destruction of West Indian commerce by American privateers might not have occurred. The British Governors, from the outset of the American War, were aware of the immense importance of French and Dutch neutrality to the success of the rebels; for without access to French ports where they were able to refit, to victual, to enlist seamen, and to sell their prizes, the privateers would not have been so effective in capturing West Indiamen, or in raiding the

⁵¹ Germain to Shirley, 7 May 1777. C.O. 71/76, fo. 120.

coast of many of the islands. 'For if the pyrates did not find shelter within these seas', wrote Governor Hay, 'they could not molest us as they do'.⁵²

In retaliation to the Prohibitory Act of 1775, Congress adopted a number of resolutions on 23 March 1776 empowering the American colonists to fit out armed vessels to capture British ships and their cargoes.⁵³ On 2 April it adopted a form of commission for privateers,⁵⁴ and on the following day Congress further resolved to send blank commissions to each of the United Colonies to be issued to owners of privateers.⁵⁵ These resolutions excluded British West Indian ships as Congress had confined captures to the 'inhabitants of Great Britain'. This loophole had caused discontent among many Americans who felt that 'English property' was being covered by the West Indians, and argued for the seizure of all ships going to Britain.⁵⁶ Congress therefore closed the loophole on 24 July by resolving that all captures should include the vessels '"belonging to any subject or subjects of the King of Great Britain, except the inhabitants of the Bermuda and New Providence or Bahama Islands"'.⁵⁷

⁵²Hay to Germain, 12 July 1777. C.O. 28/56, fos. 127d-128; see also Morris to Germain, 18 February 1778. C.O. 260/5, fo. 147.

⁵³Ford, ed., *Journal of Congress*, Vol. III, pp. 230-231.

⁵⁴*Ibid.*, pp. 247-248.

⁵⁵*Ibid.*, pp. 251-252.

⁵⁶James Warren to John Adams, 5 June 1776. Morgan, ed., *Naval Documents*, Vol. V, pp. 379-380.

⁵⁷*Ibid.*, p. 350, Note 3.

Several types of armed vessels were fitted out at the outbreak of the American War - vessels of the Continental navy, privateers commissioned by individual colonies, and those owned and armed by private persons, carrying commissions from Congress or the states enabling them to capture British ships for the owners' profit. Normally, all captures were to be condemned in courts of admiralty in America, but prizes taken to the foreign islands were sold without condemnation. In the case of captures made by Continental ships, a third of the proceeds from the sale of the prizes went to the officers and crews, while the owners and crews of privateers received the whole of the prizes.⁵⁸

Several schemes were contemplated, and every seaport had its quota of privateers. Merchantmen which were now excluded from the West Indian trade, vessels barred from the Newfoundland fisheries, and those which could no longer be profitably employed in the coastal trade were hastily converted to privateers and sent to cruise in the West Indies. All the states commissioned their own small 'navies' of privateers.⁵⁹ In the autumn of 1776, for example, the armed ship *Defence* of the Maryland 'navy', Captain Cook, captured five small vessels laden with logwood, mahogany, indigo, rum and sugar while on a cruise in the West Indies. In the same year, the North Carolina Committee of Safety ordered its

⁵⁸Paullin, *The Navy*, p. 127.

⁵⁹Edgar Stanton Maclay, *A History of American Privateers* (London, 1924), p. 69.

three vessels to the West Indies to cruise for the Jamaica merchant fleet, but they achieved very little.⁶⁰ Vessels belonging to the Virginia 'navy' also cruised in the Caribbean. In the spring of 1777 Captain Harris in the *Mosquito* of 16 guns and 74 men carried into St. Pierre the ship *Noble* valued at 75,000 livres. The *Mosquito* was in turn captured by Thomas Pringle of the warship *Ariadne* early in June 1777, and was converted into a British sloop of war.⁶¹

With the exception of Massachusetts, however, few colonies sent their armed vessels to cruise in the Caribbean regularly. Between 1776 and 1777, armed vessels of the Massachusetts 'navy' captured about thirty-five prizes of which approximately one-half were successfully carried into safe ports.⁶² Apart from these activities, warships of the Continental navy also cruised in West Indian waters in search of British shipping. For example, the *Alfred* of 20 guns and 180 men was sent to the Caribbean after leaving L'Orient, in France, at the end of 1777.⁶³ While in the West Indies, the *Alfred* had a very successful cruise taking about nine merchantmen until it was captured by the *Ariadne* and *Ceres* around the middle of March 1778. Its

⁶⁰Paullin, *The Navy*, pp. 448-449, 452-453.

⁶¹Young to Stephens, 12 June 1777. Adm. 1/310, fo. 145; Hay to Germain, 6 June 1777. C.O. 28/56, fo. 117.

⁶²Paullin, *The Navy*, p. 429.

⁶³Instructions from Congress to Elisha Hinman, 6 September 1777. C.O. 101/21, fo. 120. A copy is in Adm. 1/310, fo. 254.

consort the *Raleigh* of 32 guns escaped because of its superior sailing ability. Captain Thomas Pringle of the *Ariadne* was so chagrined at his failure to capture the *Raleigh* that he wrote: '...even a copper bottom could not out sail a ship tho' reduced by lightening to the quality of a skimming dish'.⁶⁴

Throughout the War, ships of the Continental navy made captures of West Indiamen. For example, in 1779 the warship *General Gates* and the sloop of war *Providence* sent prizes valued at £240,000 into Boston. In August of the same year, a fleet of several Continental armed ships, the *Providence* of 28 guns, commanded by Commodore Abraham Whipple, the *Queen of France* also of 28 guns, Captain John Rothburn, and the *Ranger* of 32 guns fell in with the homeward-bound Jamaicamen, convoyed by a 32-gun frigate and three other armed vessels, and captured ten large ships loaded with sugar and rum, without any significant opposition. Of the ten, seven were carried into Boston, and one into Cape Ann; the others were retaken.⁶⁵ In October of the following year, the *Saratoga* of 16 guns, one of the first three vessels built by Congress, returned to America after a very successful cruise in the Caribbean where she captured some Jamaica merchantmen with their cargoes of sugar and rum.⁶⁶ In the autumn of 1782, John Barry in the frigate

⁶⁴Captain Pringle to James Young, 18 March 1778. *Ibid.*, fos. 557-557d.

⁶⁵Paullin, *The Navy*, pp. 171-173.

⁶⁶James Madison to Edmund Pendleton, 17 October 1780, in Hunt, ed., *Writings of James Madison*, Vol. I, p. 81.

Alliance, after unsuccessfully cruising in the region of the Bermudas, sailed eastward where he overtook a fleet of West Indian merchantmen capturing four vessels freighted with sugar and rum.⁶⁷

But if the ships of the Continental and states 'navies' operated successfully in the Caribbean and North Atlantic waters, individual privateers were even more menacing to West Indian shipping. In 1776 several private plans for distressing the British were considered. Some were 'for taking the Hull ships, with woollens for Amsterdam - some...for the Tin ships - some for the Irish Linen ships - some for the Outward Bound and others for the Inward Bound India Men - some for the Hudson's Bay ships - and many for the West India sugar ships'.⁶⁸ This information was very disconcerting to the Commanders of the British squadrons in the West Indies because the small units under their command could not prevent the privateers from inflicting immense damage to the islands and their commerce.

British West Indian military and naval commands were divided into two distinct groups separated by over one thousand miles of sea - one in Jamaica, and the other based at Antigua was known as the Leeward Islands station. British acquisition of the ceded islands had extended the duties of the Leeward Islands squadron to include Dominica, Grenada, St. Vincent, and Tobago which

⁶⁷Paullin, *The Navy*, pp. 236-237.

⁶⁸John Adams to Abigail Adams, 12 August 1776, in Adams, *The Adams Papers*, ed., Butterfield, Vol. II, p. 89.

lay about 100 miles to the southwest of Barbados.⁶⁹ No adequate reinforcement was made to the squadron, nor were there any significant changes to the defence system in the British West Indies. Consequently, the lack of an adequate naval force in the Caribbean restricted the naval duties of the British Commanders. This was duly noted in one of Lord Macartney's despatches to Lord Germain:

Of this indeed we had very sufficient Evidence, for even whilst the Admiral was lying here [in Georgetown, Grenada] and his flag flying on board a 50 gun ship, Both Tobago and the Windward parts of this Island were hourly insulted by a number of small privateers which either took our small crafts when they ventured to sea, block'd them up in the bays, or cut them out as they lay at anchor.⁷⁰

A weak navy therefore meant that the islands and their trade were vulnerable to physical destruction. Several factors contributed in reducing the effectiveness of the small squadron under Young's command: the ships were kept at sea for long periods and were thus in need of repairs; the keels of many of the ships were virtually eaten away by worm making them unseaworthy; unlike previous wars, naval stores were difficult to procure, and when they were available, the merchants charged exorbitant prices. Like the sugar planters, the British navy relied on the American colonies for some supplies, and a scarcity of these was experienced throughout the War. In March 1777 Vice-

⁶⁹Mackesy, *The War for America*, p. 225.

⁷⁰Macartney to Germain, 11 July 1777. C.O. 101/20, fos. 231d-232.

Admiral Young had to call on the Secretary of the Admiralty to order the Commander-in-Chief in America to send out naval supplies.⁷¹ But the condition of the squadron remained the same; for in 1779 Vice-Admiral John Byron wrote: 'The ships of the Line can scarcely be put into a state of action'. Several were crippled by damaged masts, hulls needed repair, others were 'upon single Bottoms' only. In addition, many seamen deserted to join the privateers.⁷²

Thus, the situation of the islands had changed completely. In previous wars, the French colonies had faced physical and economic destruction; now it was the turn of the British West Indies. For the first time in almost one hundred and fifty years, the French and Spanish navies were able to establish naval superiority for long periods in the Caribbean. The British navy was hampered by the factors already mentioned, as well as the loss of American bases to which the ships could retreat for repairs during the hurricane season, returning to the Caribbean for spring and summer offensives.

The weakness of the British navy greatly favoured the American privateers which increased in number from year to year: from 136 vessels carrying 1,360 guns in 1775 and 1776, 73 vessels and 730 guns in 1777, 115 vessels with 1,150 guns in 1778, 167 vessels with 2,505 guns in 1779, 223 vessels with 3,420 guns in 1780, 449

⁷¹Young to Stephens, 13 March 1777. Adm. 1/310, fos. 239-239d.

⁷²Vice-Admiral Byron to Philip Stephens, 13 May 1779. Adm. 1/312, fo. 60d.

vessels carrying 6,735 guns in 1781, and 323 vessels and 4,850 guns in 1782. Along with the growth in the number of privateers came the increase in size and efficiency of the vessels thus employed. At the beginning of the American War, any vessel was armed; but as it dragged on, and some owners amassed wealth from the profits of their enterprises, better and much swifter sailing privateers were built.⁷³

From 1776 to 1782 the privateers performed an invaluable service to the American war effort, in so much so that attempts by some members in Congress to restrict their operation later on in the War was opposed.⁷⁴ In addition to transporting war materials and West Indian staples to America, they had severely damaged the islands' commerce.⁷⁵ In May 1776, for example, two well armed privateer sloops from Pennsylvania, the *Congress* and *Chance*, cruising in the Windward Passage, and in the waters around Hispaniola, seized several Jamaicamen, sailing without convoy, including the *Lady Juliana*, Captain Stepheson, the *Reynolds*, Captain Rusden, and the *Degune*, Captain Marson, loaded with sugar, rum and other tropical products, and

⁷³Maclay, *American Privateers*, p. 113.

⁷⁴Josiah Bartlett, Chief Justice and Governor of New Hampshire, to William Whipple, 20 June 1778, in Burnett, ed., *Letters*, Vol. III, p. 309.

⁷⁵Martin, 'The West India Trade, 1776-1777'. *A.H.R.*, Vol. XXXIX, p. 702.

carrying a large amount of Spanish dollars.⁷⁶ A few weeks later, two more Jamaican ships were taken - one was carried into Marblehead, and the other about 700 tons, richly laden with tropical products, was taken into Dartmouth, in Massachusetts. A few days afterwards, a privateer owned by Richard Derby of Salem captured the brigantine *Fanny*, on a voyage from Barbados to Halifax, with rum for the British troops,⁷⁷ and a Jamaica ship with 390 hogsheads of sugar, and 143 puncheons of rum which was sent into Sheepscoot.⁷⁸ The privateers were so successful in the early months of the War that Abigail Adams wrote to her husband: 'As to news we go on briskly taking prizes. We have a plenty of sugars. Within these ten days Sugars have fallen from 4 pounds to 3 and 2.8 by the hundred'.⁷⁹

The success of the privateers was in part dependent on the inability of British naval officers to pursue them in the territorial waters of the foreign governments. On his way to Martinique in July 1776, the Continental brig *Reprisal*, commanded by Lambert Wickes, with William Bingham as a passenger,⁸⁰ captured several

⁷⁶Sir Basil Keith to Lord Germain, 29 June 1776. C.O. 137/71, fo. 193d; Geronimo Emile Guerci and Manual Phelix Riesch, Agents of the Royal Asiento Company of Havana to Messieurs Foord & Delprat, 19 May 1776, *Ibid.*, fos. 199-199d.

⁷⁷Cotton Tufts to John Adams, 17 June 1776, in Adams, *The Adams Papers*, ed., Butterfield, Vol. II, p. 17.

⁷⁸Richard Cranch to John Adams, 22 July 1776. *Ibid.*, p. 58.

⁷⁹Abigail Adams to John Adams, 12 August 1776. *Ibid.*, p. 98.

⁸⁰Committee of Secret Correspondence of the Continental Congress to William Bingham, in Morgan, ed., *Naval Documents*, Vol. V, p. 454. In the Colonial Office papers, the name is spelled Weekes.

British ships, of which one was the *Friendship*, Charles Mackay captain, on a voyage from Grenada to London with a cargo of West Indian staples.⁸¹ At the end of the month, the *Reprisal* was engaged in an action, which lasted for about three-quarters of an hour, with the British sloop of war *Shark*, Captain John Chapman; but the American brig escaped with damage to her sails and riggings, when two shots from the French battery St. Mathe was fired at the *Shark*. Baron De Courcy, Commander at St. Pierre, upheld the action of his officer and promised to order further actions if British warships continued to violate French territorial waters.⁸² Such actions and threats made it almost impossible for British ships to deal effectively with the privateers.

British merchantmen were also captured because of information received from American supporters in the islands, concerning the time of sailing of the homeward fleet, the strength of the convoy, and other related matters. In addition, it was impossible to prevent the rebel privateersmen from observing the assemblage of the merchant fleet at St. Kitts. On receiving information, the Americans quickly seized the opportunity to place their vessels in the path of the convoys. To

⁸¹Macartney to Germain, 3 September 1776. C.O. 101/9, fo. 20d.; Captain Lambert Wickes to the Committee of Secret Correspondence of the Continental Congress, 11 July 1776, in Morgan, ed., *Naval Documents*, Vol. V, p. 1030.

⁸²Daron de Courcy to Count D'Argout, 29 July 1776, in Morgan, ed., *Naval Documents*, Vol. V, pp. 1263-1264, 1276-1277; John Chapman to James Young, July 1776. Adm. 1/309, fos. 526-626d; Deposition of John Courage, 11 September 1776. C.O. 101/19, fos. 208-20d.

execute such attacks effectively, the privateers usually cruised in pairs, and were thus able to pounce on a merchant fleet successfully, especially when the merchantmen were escorted by only one warship, as was often the case during the American War.⁸³

Between early August and the middle of December 1776, over twelve Jamaicamen alone were captured in the Windward Passage.⁸⁴ William Crichton, a member of the West India Committee, and a partner of Houston and Company, estimated that in 1776 over 25,000 hogsheads of sugar were captured by the Americans.⁸⁵ George Johnstone, former Governor of East Florida, who was one of the Commissioners sent to America in 1778, and Captain Luttrell who participated in the abortive attempt to capture Nicaragua, estimated that over £1,069,000 worth of West Indiamen and their cargoes were taken in the first nine months of American privateering. In addition, African ships and slaves valued in excess of £187,000 were also captured. The total value of all British merchantmen captured during this period was estimated at approximately £1,575,000.⁸⁶

⁸³ Maclay, *American Privateers*, pp. 18-19; *Supplement to the Cornwall Chronicle and Jamaica General Advertiser*, 14 December 1776, Vol. I, No. 107:4.

⁸⁴ *Ibid.*

⁸⁵ Crichton, 'The...Causes of the Rise of the Price of Sugar', 6 July 1778. Add. MSS. 12,404, fo. 445. The papers of David Crichton, brother of William, are in N.R.A. (Scotland) and deal with the period after 1787.

⁸⁶ *Cornwall Chronicle and Jamaica General Advertiser*, 19 April 1777, Vol. I, No. 125:3.

The British merchants had sustained heavy losses during the first two years of the War. They estimated (computing the value of the outward-bound merchantmen at £6,000 - £7,000 and the homeward-bound at approximately 10,000), that the total value of all captures made between April 1776 and December 1777 was over £1,800,000.⁸⁷ The losses in the Jamaica trade alone exceeded £500,000 during this period.⁸⁷ *The Cornwall Chronicle and Jamaica General Advertiser* puts the total losses of the West Indian, Newfoundland and African commerce with Britain at over £1,700,000 at the end of the first year of privateering.⁸⁸ Because of the heavy losses, one West Indian Governor commented: 'Scarce a day passing that we don't hear of two or three captures'.⁸⁹

In November 1777 the Assembly of Jamaica appointed a committee to enquire into and report to the House on the protection given to the island's trade and coastal areas, by the Jamaica squadron. Lewis Burwell Martin, assistant-judge, who became embroiled in a dispute with Governor Dalling in 1780, was appointed Chairman. After hearing evidence from several persons, who were summoned to appear before it, the committee stated in its report that in spite of repeated warnings given to Rear-Admiral Gayton by the late Sir Basil Keith and

⁸⁷Long, 'History of Jamaica', July 1778. Add. MSS. 12,404, fo. 446d.

⁸⁸*Cornwall Chronicle and Jamaica General Advertiser*, 12 April 1777, Vol. I, No. 202:1.

⁸⁹Lord Macartney to Vice-Admiral Young, 2 April 1777. C.O. 101/20, fo. 146d.

Governor Dalling, the island's commerce was exposed to continuous attacks because of the shortage of warships in the Jamaica squadron.⁹⁰ The report was highly critical of the Admiralty's decision to employ so many ships to cruise in the Windward Passage to intercept Jamaican vessels trading illegally with the rebels.

The Council and Assembly in a petition to the King contended that the coast and trade of Jamaica were undefended, were therefore exposed to attacks by enemy privateers, and they requested that Gayton should be ordered to employ a sufficient number of vessels to cruise constantly around the island for its protection.⁹¹ Although immediate action was taken by the Admiralty to reinforce the Jamaica squadron, conditions changed very little;⁹² for at the end of 1780, the West India Committee had to apply to the Admiralty to station cruisers on the north coast of the island for its protection.⁹³ A little less than a year later, the Committee renewed its appeal for cruisers to protect Jamaica from enemy privateers.⁹⁴

The southern Caribbean colonies, like Jamaica,

⁹⁰J.A.J., 19 November 1777. C.O. 140/59, pp. 15-16; see also C.O. 137/73, fos. 4-5d.

⁹¹Petition of the Council and Assembly of Jamaica to the King, 21 November 1777. C.O. 137/73, fo. 29.

⁹²Lord Germain to Governor Dalling, 10 March 1778. *Ibid.*, fos. 104-104d.

⁹³Minutes of the West India Merchants, 5, 8 December 1780, Vol. II. fos. 49-50.

⁹⁴Minutes of the West India Merchants, 30 October 1781, Vol. II, fo. 74d.

were not exempt from attacks. American privateers constantly raided the coastal villages in these islands with very little opposition, except in a few areas where the inhabitants had erected batteries. For example, in May 1777 part of the crew of an American privateer, Oliver Cromwell, attempted to make a landing at Sandy Point, in the Leeward part of Tobago, but was driven off by the battery.⁹⁵ However, other attacks were made on the more remote parts of the island. After an earlier attempt was foiled,⁹⁶ at the end of December a party of American sailors successfully landed at Bloody Bay, in the north-western section of the island, where they spiked the cannons, and carried off the gunpowder.⁹⁷

Early in January 1779, about fifty American sailors landed at Man of War Bay where they plundered the village, burnt some of the houses, and carried off three white people as prisoners. Two prominent planters, Lieutenant-Colonel Stewart and Captain Lincoln who led a small party of the militia in an attempt to drive off the invaders, were seriously wounded.⁹⁸ Because of these attacks and the capture of several droghers, few merchant ships could be persuaded to go to the island

⁹⁵Peter Campbell to Lord Macartney, 16 May 1777. C.O. 101/20, fo. 211d.

⁹⁶'Memorial of the Proprietors and Merchants concerned in Tobago', to Lord Germain, 1777. *Ibid.*, fo. 242.

⁹⁷'Memorial of the Merchants and Proprietors of Tobago', 28 May 1778. C.O. 101/21, fo. 150.

⁹⁸Macartney to Germain, 28 January 1779. C.O. 101/23, fos. 76-76d; 'Extract of a letter from Lieutenant Oswald Clark of the St. Paul's Company of Militia;', 18 January 1779. *Ibid.*, fos. 78-78d.

either to carry supplies or to receive its crops.⁹⁹

Barbados also suffered at the hands of the privateers which infested the seas around that island destroying not only its trade, but capturing droghers within its bays. For example, a privateer which entered Speights Bay was fired on by Orange Fort, but escaped carrying off a slave who was asleep in a boat. Another captured several fishing boats with slaves on board. In response to these attacks, the Assembly bypassed the Governor, contrary to custom, and applied directly to Vice-Admiral Young who sent a frigate to cruise around the island.¹⁰⁰ Some relief was immediately received, and Captain Pringle of the *Ariadne* captured the *Johnson* of eight guns, at the end of November 1777. Hay told him that he had brought great relief to Barbados.¹⁰¹

In the Leeward Islands too the planters were fearful of raids during the nights. John Pinney wrote: 'I cannot help thinking, but our Estates in the Islands are held, at present, on a very precarious tenure. Enemies all around us: While at breakfast, a few weeks ago, I saw a brig taken, bound to St. Christopher, near our landing'. To safeguard his estate, Pinney built a battery of three guns which he got from Governor Burt, and placed a nightly guard on it.¹⁰² At the beginning

⁹⁹'Memorial of the Merchants and Proprietors of Tobago', 28 May 1778. C.O. 101/21, fo. 150d.

¹⁰⁰Schomburgk, *History of Barbados*, pp. 335-336.

¹⁰¹Edward Hay to Thomas Pringle, 3 December 1777. C.O. 28/57, fo. 13; Hay called the vessel the

¹⁰²Pinney to Pretor, 12 June 1777. Pinney Papers: L.B. 4, p. 114.

of July 1777, a small American privateer landed a number of men at Moyreau, in Grenada, 'stripped quite naked all the inhabitants who fell into their hands', burnt and destroyed everything which they could not carry off.¹⁰³ Travelling between the islands too had become unsafe,¹⁰⁴ and such was the gravity of the situation in all the West Indian islands that in September 1778, a letter calling on the inhabitants to declare publicly their support for the Americans appeared in several West Indian newspapers. The author contended that Britain could protect neither the islands nor their trade.¹⁰⁵

Because of the inability of the British squadrons to deal with the privateers, as well as a desire on the part of some of the merchants to get rich, many inhabitants in Dominica, and the Leeward Islands, fitted out non-commissioned privateers,¹⁰⁶ and their prizes were condemned in the Vice-Admiralty Courts, as 'Droits of the Crown'. But the actions of these vessels were looked upon with disfavour by the Commander-in-Chief of the Leeward Islands squadron, thus giving rise to a heated dispute between Young, Attorney-General Thomas Warner and the owners of the non-commissioned vessels.

¹⁰³Macartney to Germain, 23 July 1777. C.O. 101/20, fo. 239d.

¹⁰⁴Affidavit of John Robb, Sergeant of the 48th Infantry Regiment, 27 February 1777. *Ibid.*, fos. 156-156d.

¹⁰⁵The West India Planter to the West India Planters and Merchants, 16 September 1778. C.O. 101/22, fo 128.

¹⁰⁶Petition of the Merchants and other Inhabitants of Dominica to Governor Shirley, 8 February 1777. C.O. 71/6, fos. 116-116d; Governor Shirley to the Merchants, 8 February 1777. *Ibid.*, fos. 118-118d; Shirley to Germain, 30 March 1777. *Ibid.*, fo. 122.

Petitions were sent to the King concerning the seizure of some of the vessels, and several suits were filed in the courts of Antigua against Young and Captain Dumaresq.¹⁰⁷ Up to 1778 the non-commissioned vessels rendered an invaluable service to the islands. Though most of them were ill-armed droghers, they captured many unarmed American trading vessels until Young issued a proclamation declaring them illegal and making them subject to seizure. Without intending it, Young's action greatly relieved the American traders.¹⁰⁸

The Antigua merchants were so incensed by Young's policy and his seizure of their vessels that their actions now greatly hindered the operation of the Leeward Islands squadron. There were open feelings of hostility between Young and Dumaresq, and the colonists who were already engaged in heated political and constitutional disputes with their Governors, which lasted until the end of the War. Young was sued for £1,200 Antigua currency for seizing the *Hammond* privateer; while Captain Dumaresq was fined £950 sterling for impressing 19 men from the same vessel. As the owners of the *Hammond* had filed writs of execution against both men, they were confined to their ship. These actions and decisions of the court against the naval officers hampered the government's service

¹⁰⁷Petition of the owners of the *Reprisal* to the King (no date). C.O. 152/56, fos. 58-59; Address of the Council and Assembly of Antigua to the King (no date). *Ibid.*, fo. 67.

¹⁰⁸Martin, 'The West India Trade, 1776-1777'. *A.H.R.*, Vol. XXXIX, pp. 705-706.

by forcing them to keep out of the way.¹⁰⁹ The affair was amicably settled by Lord Germain's intervention, and also by Governor Burt's unceasing efforts to keep other suits out of court, and to persuade the owners of other non-commissioned vessels to contribute a sum of money to pay the fines to the owners of the *Hammond*.¹¹⁰

The dispute between Young and some of the inhabitants of Antigua, over the legality of non-commissioned vessels to make seizures under the Prohibitory Act, helped to influence Parliament to pass a new Act in 1777 empowering British Governors to grant letters of marque to private merchantmen, or to ships retained in the government's service. The new law amended the Prohibitory Act. All vessels trading contrary to its provisions were to be seized. The whole of the prizes were to be given to the captors, as in the case of American privateers, except when such commissioned vessels were under convoy.¹¹¹ It did not prohibit the non-commissioned privateers; but in cases where these vessels made captures, the prizes were to be condemned as 'Droits of the Crown', and the captors were not given an automatic share of the booty.¹¹²

In spite of the commissioning of British

¹⁰⁹ Young to Stephens, 21 July and 24 August 1777. Adm. 1/310, fos. 172-172d, fo. 179; Burt to Germain, 17 September 1777. C.O. 152/56, fos. 191-191d.

¹¹⁰ Young to Stephens, 27 October 1777. Adm. 1/310, fo. 181; Burt to Germain, 17 September 1777. C.O. 152/56, fos. 192-192d.

¹¹¹ 17 Geo. III C.7.

¹¹² Germain to Burt, 20 June 1777. C.O. 152/56, fo. 81.

privateers, there was no significant reduction of the losses to British West Indian commerce. The defence of the islands had always been left to the British navy in previous wars.¹¹³ In the American War, however, the navy was far too burdened to cope effectively with enemy privateers. Consequently, the planters of the British islands, from Jamaica to Tobago, suffered severe hardships because they were, on the whole, defenceless against attacks.

After France entered the War, the strategy of the American privateers seemed to have changed, although they continued to play an important role until the end of the War. The West Indies now became the scene of some of the fiercest fighting on land and sea, between the French and British. The entrance of France into the fighting also marked the second phase of the American War, and the beginning of the struggle for the Caribbean colonies. It was no longer mandatory to the rebels' success that their privateers keep up their continuous attacks on the British islands and their trade - the French navy was well able to do this.¹¹⁴

The American rebels had nevertheless succeeded in disrupting British-West Indian commerce, with the help of the foreign governments. The protection which was usually provided to British shipping in previous wars¹¹⁵

¹¹³Pares, *War and Trade*, see Chapter VII; Crowhurst, 'British Oceanic Convoys', Chapters IV and V.

¹¹⁴See Mackesy, *The War for America*, pp. 224-234, 329-337.

¹¹⁵Crowhurst, 'British Oceanic Convoys', Chapters IV and V.

was not given during this one, for many reasons: the smallness of the Jamaica and Leeward Islands squadrons, the unseaworthiness of the warships, loss of American trade and American ports on which the navy usually depended. The loss of American naval supplies had an adverse effect on the efficiency of the British squadrons in the Caribbean area. Throughout the War, the coasts of the British islands remained unprotected and many of them were at the mercy of the smallest American privateer. The American strategy of attacking the islands and their trade in order to draw off the British fleet from the coast of America was generally successful, and made it more difficult for the planters in their struggle for survival.

CHAPTER V

THE STRUGGLE FOR SURVIVAL: THE PLANTERS AND THE WAR

The impact of the American War on sugar production in the British West Indies cannot be fully determined by an examination of British-West Indian trade. Though the quantities of products exported will tell us something of conditions in the islands, there are other factors which must be taken into account in order to determine the full effect of the loss of American supplies on the daily lives of the sugar producers who were the backbone of the West Indian economy. In Chapter I, we have seen that the unrestricted commercial relation which had developed between the British Caribbean and American colonies was of inestimable benefit to the sugar planters who were able to develop their estates at low costs. In 1774 when Congress threatened to take economic sanctions against Britain, the Earl of Dartmouth expressed the seriousness with which the British viewed the American threat in a letter to Sir Ralph Payne, Governor of the Leeward Islands. He wrote: 'The State of Affairs in North America and particularly in the New England Colonies is become very serious, it is to be hoped however that nothing will happen to obstruct the commerce between the Northern Colonies and the Sugar Islands. It

is a Commerce that for the mutual interest of both ought to be cherished on both sides.'¹

The American War was therefore expected to have a two-fold effect on the islands. First, it would increase the costs of production of sugar; and second, it would lessen the demand in Britain for other West Indian products. The older islands were in a precarious situation once their traditional trade links were damaged. In Barbados and most of the Leeward Islands, for example, deforestation had long taken place, and most of the arable land was under sugar-cane. Thus, these colonies were less able to produce their own food than were the ceded islands and Jamaica where there were larger areas of uncultivated fertile land. Since the importance of the British West Indies depended on the profitable production of sugar which, in turn, depended on assured markets for their exports at the highest prices and guaranteed supplies of food and lumber, the removal of one of these factors spelled disaster for the islands, and threatened their continued economic development.

During 1775 the strained relations between Britain and America had little effect on the steady flow of provisions and lumber to the sugar islands. Many Governors in their despatches home stated that the disputes had not affected supplies to their governments.² Governor Edward

¹The Earl of Dartmouth to Sir Ralph Payne, 5 October 1774. C.O. 152/54, fo. 101d.

²Sir Ralph Payne to the Earl of Dartmouth, 12 January 1775. C.O. 152/55, fo. 7.

Hay of Barbados, for example, reported: 'no bad effects have been felt in this Island hitherto from the disturbances in the Northern Colonies but that full as many vessels with their Provisions and Stores have arrived from thence as usual, and the Storehouses well stocked'.³ Even the Restraining Acts had no great effect in reducing supplies to the West Indies, and many planters were optimistic that if the Americans carried out their planned embargo, there were some merchants who would defy it in order to maintain their commercial relations with the islands.⁴

After the passage of the Prohibitory Act in December 1775, however, the British West Indies were faced with the imminent threat of privation unless an alternative market was substituted - one with which the islands would be allowed to exchange rum and other products for provisions and lumber. This was suggested by Governor Burt, who, before leaving London in 1776, discussed with Lord Germain, and John Robinson, the Secretary of the Treasury, the possibility of allowing the islands to import lumber, fish, pitch, tar, and other articles from Russia, in exchange for rum, either in foreign or British vessels. Such a proposal was an infringement of the Navigation Acts and was turned down.⁵

³Edward Hay to the Earl of Dartmouth, 6 April 1775. C.O. 28/56, fo. 1d.

⁴John Pinney to John Hayne, 10 April 1775. Pinney Papers: L.B. 3, p. 305.

⁵Burt to Germain, 17 September 1777. C.O. 152/56, fos. 193-194.

When Burt arrived in the West Indies, he became even more convinced of the necessity of his earlier proposal, and made another appeal for its adoption, but his suggestion was not practical - as much through the cost of shipping and insurance, as from its infringement of British mercantilist policies. It was therefore not accepted, though some lumber from the Baltic countries reached the West Indies through Britain.⁶ Increased quantities of some articles of food were also sent from the United Kingdom, but these were expensive, and insufficient for the West Indian demand. The planters also had to rely on the foreign West Indian islands for some American supplies, and this dependence was mainly responsible for the growth of the illicit trade discussed in Chapter III.

As the West Indian colonies were developed mainly for sugar and rum production, with guaranteed markets for exports balancing import of provisions, the planters could not reorganise their agricultural system. It is also doubtful whether the slave system could have continued without external markets for provisions and lumber. There was not enough land; and the absence of a farmer class, not necessarily slave-owning, which would produce food for domestic consumption, added to the planters' problems. Even in America where land was plentiful, no plantation was totally self-sufficient, and there is no evidence that there were plans to make

⁶'State of Trade' (no date). C.O. 325/6, fo. 4.

the sugar estates so either. When, therefore, it became apparent to the planters that their American markets would be closed, no significant agricultural changes could be made. Legislative measures introduced in several of the islands to encourage the production of food, although a significant departure from pre-war economic planning, were only partly successful. In the older islands, alternative sources of land could not be found without reducing sugar-cane cultivation, and even where land was available, the cost of slave labour made the production of provisions a temporary measure. In some islands, however, some planters were 'determined to plant Provisions', even though they made negligible sugar crops, 'for the prospects of a famine is horrid', wrote John Pinney.⁷

In Jamaica there were approximately six hundred provision gardens in 1774, and room for expansion; nevertheless, after the receipt of two letters from Connecticut informing the House that supplies would be cut off, the Assembly early in November 1775 appointed a committee of nine members to consider ways and means of preventing the expected scarcity of foodstuffs and lumber, to encourage the cultivation of all types of grains, and to procure and manufacture lumber. The committee's first recommendation was an embargo on the exportation of provisions, and consequently, each outgoing vessel was

⁷Pinney to Pretor, 1 June 1775. Pinney Papers: L.B. 3, p. 13; Pinney to Mills and Swanston, 9 December 1775. *Ibid.*, L.B. 4, p. 21.

allowed only enough supplies for the voyage.⁸ To compensate the merchants for their lost trade, the Assembly ordered the Receiver-General to purchase all provisions for export at their selling prices. These were then sold at cost price to the planters in quantities not exceeding five barrels to any person.⁹ A month later the Assembly passed a bill which was renewed annually, enabling the Governor to prohibit the exportation of provisions by proclamation when the House was in recess.¹⁰

On the recommendation of its committee, the Assembly further agreed to award £150 Jamaican currency, to any person in the parish of St. Andrew who grew and sold not less than one thousand bushels of Indian or Guinea corn, rice, peas, or beans, between 1 December 1775 and 31 March 1777. A second award of £100 was given to the person producing not less than seven hundred and fifty bushels. On the following day, a third award valuing £50 was established for the producer of not less than five hundred bushels of grain.¹¹ In December Sir Basil Keith assented to a bill extending the awards to planters throughout the island 'to encourage the planting and Growth of Provisions in the Several Parishes'¹²

⁸J.A.J., 1 November 1775. C.O. 140/46, p. 575.

⁹J.A.J., 2 November 1775. *Ibid.*, p. 576.

¹⁰Sir Basil Keith to the Earl of Dartmouth, 18 January 1776. C.O. 137/71, fo. 43.

¹¹J.A.J., 2 and 3 November 1775. C.O. 140/46, pp. 576, 579-580.

¹²J.A.J., 22 December 1775. *Ibid.*, p. 631.

Efforts were also made to develop the cattle industry. The legislature passed an Act in 1778 prohibiting the stealing or destroying of sheep, goats and cattle, and in the following year it approved Governor Dalling's appointment of William Harvey to purchase and quarter cattle for the troops for which he was paid 7½d. per lb.¹⁴ The effect of the American War in stimulating the cattle industry can be seen in the increase in the number of cattle from 135,750 in 1768 to 224,500 in 1780.¹⁵

Besides these important legislative measures, the Jamaican Assembly in 1774 appointed a botanist, Dr. Thomas Clarke, to collect plants from the South Seas, China, the East Indies, or from different gardens in London. An advance of £100 sterling was given to Stephen Fuller to assist Clarke in leaving England.¹⁶ In November 1775 a further £140 was sent to the botanist to purchase plants.¹⁷ In the same month, the commissioners for the botanical gardens in Kingston appointed a gardener at a salary of £100 Jamaican currency per annum. But many of the valuable plants carried to the West Indies during this period were of little value as food. Clarke who arrived in Jamaica in 1777 brought with

¹³J.A.J., 22 November 1778. C.O. 140/59, p. 101.

¹⁴J.A.J., 18 August 1779. *Ibid.*, p. 146.

¹⁵Noel Deerr, *The History of Sugar* (London, 1949), Vol. I, p. 176.

¹⁶J.A.J., 23 December 1774. C.O. 140/46, p. 570.

¹⁷J.A.J., 23 November 1774. *Ibid.*, p. 597.

him the jujube tree, the litchi, the purple dracoena, the sago palm, the camphor tree, the tea tree, and the 'saru' hemp plant. However, it was not until 1778 that he obtained the akee, later a well-known Jamaican food, from a West African slave-ship. The mango, now widely cultivated throughout the West Indies, and the cinnamon were carried there in 1782 by Captain Marshall of Admiral Rodney's squadron. Likewise, the nutmeg was introduced into Jamaica by Rodney in the same year.¹⁸

The only other British island with a botanical garden was St. Vincent. The garden, supervised by Alexander Anderson, contained several rare plants from the East Indies and South America.¹⁹ In 1772 Valentine Morris, an Antigua planter, Member of the Council, who became the first Governor of St. Vincent, 1776-1779, wrote to Joseph Banks, recently returned from Cook's first circumnavigation, who was aware of the breadfruit's value as a food, suggesting that the plant should be introduced into the British West Indies to provide food for the slaves.²⁰ The West India Committee adopted a resolution in March 1775 to award £100 sterling to the captain of any East India ship, or to any person bringing a thriving and healthy breadfruit plant into England.²¹ In the middle of the following year, John Ellis, Agent

¹⁸F. Cundall, *Historic Jamaica* (London, 1915), pp. 25-26.

¹⁹Edwards, *History of the West Indies*, Vol. I, p. 403.

²⁰Ragatz, *The Planter Class*, p. 26.

²¹Minutes of the West India Merchants, 7 March 1775, Vol. I, fo. 73.

for Dominica, presented several papers relative to the premium for importing the plant to the Committee²² which then appointed a subcommittee to consider the best way of introducing the trees into the British West Indies.²³

The question of the importation of the breadfruit plant was again raised at a general meeting of the West India Committee in February 1777 when a fund to reward all claimants who imported the tree was established.²⁴ A decade later, the project received the British government's assistance, but it was not until 1789²⁵ when Captain William Bligh sailed in the *Bounty* to the South Sea islands for breadfruit plants, that an attempt was made to supply the sugar colonies with this valuable plant for food. Nevertheless, this failed because of the famous mutiny on the *Bounty*. The tree was finally imported into the West Indies in 1794, but the breadfruit was of no value as food for the slaves until the nineteenth century.

In spite of the efforts of the Jamaica Assembly to encourage the planters to produce most of their own food, they still had to rely on external sources. Consequently, it adopted various measures to facilitate the importation of provisions. In November 1775 the Assembly offered a bounty of £5 per ton, and 10s. per barrel of

²²Minutes of the West India Merchants, 4 June 1776. *Ibid.*, fo. 86.

²³Minutes of the West India Merchants, 2 July 1776. *Ibid.*, fo. 87.

²⁴Minutes of the West India Merchants, 18 February 1777. *Ibid.*, fo. 104.

²⁵Hall, *West India Committee*, p. 2.

not less than 32 gallons, on all dried fish imported into Jamaica for sale before 10 December 1776; 3d. per bushel was awarded for imported salt; while 6d. per bushel was given to persons manufacturing over 10,000 bushels of salt before 1 December 1776. As an incentive to ship-owners, and probably to encourage shipbuilding, all goods imported into Jamaica were to be brought in vessels half-owned by residents.²⁶ Finally, on 22 December the legislature passed 'An Act to encourage the taking and curing of Fish and Turtle, and making oil ... procuring Salt and importing the same into the island'.²⁷

The other West Indian legislatures did not adopt policies as readily as that of Jamaica. Some attempts to initiate parallel legislation were unsuccessful, chiefly because their Councils and Assemblies failed to agree on the most suitable measures for achieving their goals. A bill compelling the planters of Antigua, for example, to grow more food for their slaves originated in, and passed the Council, but was rejected by the Assembly after its second reading.²⁸ Because of the necessity of increasing food imports into that island, however, Richard Burton introduced into the House a bill to give a bounty on all goods and lumber imported for

²⁶J.A.J., 9 November 1775. C.O. 140/46, p. 583.

²⁷J.A.J., 22 December 1775. *Ibid.*, p. 631.

²⁸Journal of the Assembly of Antigua, 14 June 1776. C.O. 9/35, (hereafter cited as J.A.A.).

sale.²⁹ The bill passed the House,³⁰ and was sent to the Council where it was rejected after the second reading. The members of the Council believed that if the merchants were not induced by high prices to import food and lumber, no bounty would encourage them.³¹ But, as food shortages became more severe in the latter part of the War, the Antigua legislature passed an Act in 1780 imposing a heavy duty on live stock exported from the island.³²

In St. Kitts, John Tyson, a friend of Curson and Gouverneur,³³ was Chairman of a committee of the House appointed to frame a bill awarding bounties to persons importing provisions, lumber and live stock. The bill passed the House in May 1776,³⁴ but was amended by the Council to make all persons receiving bounties certify under oath that the articles imported were for domestic use only. As both Houses could not reach a compromise, the Assembly rejected the amendment, and the Council then rejected the bill.³⁵ However, as the American War continued and the shortage of provisions and lumber grew more acute in St. Kitts, the Tonnage Bill of 1779

²⁹ J.A.A., 3 February 1776. C.O. 9/33.

³⁰ J.A.A., 6 February 1776. *Ibid.*; see also C.O. 9/35.

³¹ J.A.A., 11 April 1776. *Ibid.*

³² J.A.A., 7 December 1780. C.O. 9/41.

³³ Wilkes to Curson and Gouverneur, 23 January 1781. C.O. 239/1, fo. 211.

³⁴ J.A.S.K., 1 May 1776. C.O. 241/11.

³⁵ J.A.S.K., 20 June 1776. *Ibid.*

provided for the importation of provisions, live stock and lumber into St. Kitts.³⁶

In Nevis, a bill, brought in by John Pinney and John Taylor, Members of the Council, prohibiting the exportation of all kinds of provisions and live stock was passed by that House at the beginning of January 1776, but was thrown out by the Assembly after its first reading.³⁷ As in Jamaica, a committee of both Houses awarded bounties on all articles of provisions and lumber imported into St. Kitts for domestic consumption. Three shillings were given for every barrel of flour, bread, beef, pork, herrings or pickled fish: 'for every Tierce of Rice, four shillings and six pence; for every firkin of Butter, six pence; for every thousand feet of staves, ten shillings'. In addition, the Treasurer was ordered to pay port and other charges of all transient vessels entering the island with provisions and lumber.³⁸

Similarly, the Assembly and Council of Montserrat established a bounty system to encourage the merchants to import supplies. As in Nevis, the merchants were required to make sworn statements that all articles imported into the island were for sale. No bounty was paid on goods brought in for re-exportation. The Treasurer was ordered to pay for 'every Barrel of Flour,

³⁶J.A.S.K., 2 June 1779. *Ibid.*

³⁷Journal of the Assembly of Nevis, 4 January 1776. C.O. 186/6 (hereafter cited as J.A.N.).

³⁸J.A.N., 2 May 1776. *Ibid.*

Bread, Beef, Pork, Herring or Pickled Fish, the Sum of three Shillings; for every Tierce of Rice, five shillings; for every Bushel of Corn, Pease or Beans, six pence; for every Firkin of Butter, one shilling: and for every Hogshead of Fish, six shillings'. The bounties were to be paid within twenty days of the sale of the articles,³⁹ and in August 1777 they were substantially increased.⁴⁰

Apart from these legislative measures to relieve the islands, most Governors imposed embargoes on the exportation of provisions and lumber. For instance, at the end of June 1775 Governor Shirley placed an embargo on the exportation of American products from Dominica,⁴¹ and to enforce his order, he requested Captain William Garnier of the *Argo* to post a nightly guard to restrict the illegal traders.⁴² Likewise, on the advice of the Council of St. Kitts, Greatheed issued a proclamation, shortly before Christmas of the same year, prohibiting the export of all American products for fourteen days; but allowing British and Irish goods to be exported.⁴³ In May of the following year, however, on a joint application from both Houses of Antigua, Greatheed

³⁹Minutes of the Assembly of Montserrat, 20 March 1776. C.O. 177/2 (hereafter cited as M.A.M.).

⁴⁰M.A.M., 28 August 1777. *Ibid.*

⁴¹'A Proclamation', by Thomas Shirley, 27 June 1775. Adm. 1/309, fo. 328.

⁴²Thomas Shirley to Captain Garnier, 27 June 1775. *Ibid.*, fo. 327.

⁴³Craister Greatheed to Lord Germain, 29 December 1775. C.O. 152/55, fo. 44; 'A Proclamation', 23 December 1775. *Ibid.*, fo. 46.

forbade the exportation of all provisions."⁴⁴

The Assembly of Barbados did not initiate any legislative measures after an earlier attempt had failed to get the necessary support in the Assembly. On that occasion, in October 1774 Henry Duke brought in a bill 'to encourage the importation of provisions'

Opponents of the measure, led by James Maycock, argued that since Barbados was an agricultural society, it was necessary to retain the restrictions on its commerce. In contrast, the bill's supporters, led by the Speaker, contended that the unsettled conditions of Anglo-American relations had made it imperative for the House to remove all laws which would prevent the planters from receiving plentiful and cheap supplies of provisions if the Americans carried out their threats. But the motion for the bill's adoption was defeated by two votes.⁴⁵ It was even left to Governor Hay to take action against the exportation of supplies. In August 1775 Hay prevented some merchants from exporting two thousand barrels of flour to England, because he was unsure about future supplies of American products to Barbados.⁴⁶

Yet, in spite of Hay's action, it is difficult to determine the true condition of Barbados because his

⁴⁴'A Proclamation', 6 May 1776. *Ibid.*, fo. 80.

⁴⁵Journal of the Assembly of Barbados, 4 October 1774. C.O. 31/39 (hereafter cited as J.A.B.). The Bill, if passed, would have repealed several Acts of the island namely: Nos. 58, 65, 171, 176 and 204.

⁴⁶Hay to Dartmouth, 29 August 1775. C.O. 28/56, fo. 10d.

despatches are full of contradictions on the question of the quantity of supplies reaching Barbados. When Hay prohibited the exportation of the flour, he wrote in August 1775 that although several shipments of provisions had arrived in that island, he was taking no chances 'as it is said that the Ports in North America were to be shut up by order of the General Congress some time in July. We do not expect much more, unless from those Colonies who have not sent Deputies to the Congress'.⁴⁷ Another paragraph of the same letter shows more optimism: 'We are not apprehensive of any bad effect from the Conduct of North America. Indeed I am inclined to believe whatever may be the public declaration of their General Congress, Individuals after a certain Time will be apt to do what is most for their own interest'.⁴⁸

Hay's impression of the effect of the American War on supplies for Barbados was a false one, and was formed because he lacked adequate knowledge of West Indian conditions and the organisation of the sugar economy.⁴⁹ Furthermore, it was made early in 1775 when the restrictions on American-West Indian commerce by the Prohibitory Act were not even considered, and when large quantities of supplies were still being carried to the sugar colonies. On 6 April 1775, he wrote: 'I think

⁴⁷ Hay to Dartmouth, 29 August 1775. C.O. 29/21.

⁴⁸ *Ibid.*; see Hay to Dartmouth, 29 August 1775. C.O. 28/56, fo. 10d.

⁴⁹ See Ragatz's description of Hay in his *The Planter Class*, p. 151. More will be said of Hay's character in Chapter VI.

there is little to fear from any ill Consequence to this Island henceforward'.⁵⁰ Despite warnings to the contrary, Hay remained firmly committed to his earlier report. He wrote four months later:

Some People have been apprehensive of the North Americans shutting up their Ports, and withholding their Provision and lumber. Hitherto as many ships as usual have come here from North America. For my own part, I am more apprehensive of the effects of a dry Year, than of any Distress from the North Americans.⁵¹

Once the Prohibitory Act was enforced at the beginning of 1776, however, supplies began to decrease. Attempts by the planters to provide a sufficient quantity of corn failed, and many of them were uncertain over the question of supplies if alternative sources were not found.⁵² But instead of changing his interpretation of the situation, Hay remained 'of the opinion that with proper diligence, they may be supplied from places not mentioned in the Act', and he suggested that lumber be brought from northern Europe via England.⁵³ Hay was probably thinking also of Canada, Nova Scotia, and the Floridas, but these colonies could not supply the West Indian demand. However, some of the lumber used in the islands during the American War did come from Europe.

In previous wars, the British colonies were always

⁵⁰ Hay to Dartmouth, 6 April 1775. C.O. 28/56, fo. 1.

⁵¹ Hay to Dartmouth, 31 August 1775. C.O. 29/21, No. 8.

⁵² Makinson, *Barbados*, p. 93.

⁵³ Hay to Germain, 13 February 1776. C.O. 29/21; Hay to Germain, 13 February 1776. C.O. 28/56, fo. 27.

well supplied, and prices were generally low.⁵⁴ From early 1776, however, the reduction of supplies reaching the West Indies caused grave hardships. In January when the Barbados Assembly made a check of the quantity of provisions in the store-houses at Bridgetown, it found only six weeks supplies.⁵⁵ A similar report compiled by the merchants of Antigua showed that supplies in that island were greatly depleted.⁵⁶ It was at this critical time that Captain Benjamin Payne of the Royal Irish Regiment arrived in Barbados and the Leeward Islands to purchase provisions. In order to supply Captain Payne, Young purchased 'every Cask of Provision' in Antigua and the neighbouring British and foreign islands, and with some from his squadron he gave him 550 barrels of beef and pork, 500 casks of butter, and 40 casks of rice.⁵⁷ From Barbados he also received a quantity of rum, beef and pork, oatmeal, barley and rice.⁵⁸ Because provision supplies were so low, the Antigua Assembly warned Vice-Admiral Young against depleting them.⁵⁹ He did just

⁵⁴Pares, *War and Trade*, pp. 491-494.

⁵⁵J.A.B., 13 February 1776. C.O. 31/39; Makinson, *Barbados*, p. 91.

⁵⁶J.A.A., 3 February 1776. C.O. 9/33. The supplies in hand were 102 tierces of rice, 13,840 barrels of corn, 1740 barrels of flour, 340 barrels & tierces of bread (300 tierces), 295 barrels of beef and pork, 1250 bushels of beans, 200 bushels of peas, 513 firkins of butter and 200 bushels of oatmeal. By the time the report was prepared and presented to the Assembly, a quantity of most articles was sold.

⁵⁷Captain Payne to Major General Howe, 15 February 1776. C.O. 5/93, Part 1, fo. 127d.

⁵⁸*Ibid.*, fos. 126-126d; Ragatz, *The Planter Class*, p. 151.

⁵⁹Assembly of Antigua to the Council, February 1776. C.O. 9/33.

that. Many Barbadians criticised Hay for allowing Payne to purchase all he needed. In a debate in the House, Henry Duke attacked the Governor's action as one fraught with disastrous effects, which had deprived the inhabitants of their scant supplies, thus increasing prices.⁶⁰

Hay's failure to prevent the purchase of provisions by Payne⁶¹ gave rise to a petition from the Assembly to the King on 15 February 1776, outlining the distresses which had befallen the island since the restrictions on its trade with America.⁶² But in contrast to the Assembly's picture of gloom and disaster, a month later Hay sent his own report to Lord Germain. While acknowledging the shortage of corn for the slaves, he reported a plentiful supply of live stock, British and Irish provisions. At the same time, however, he blamed the traders for maintaining high prices, but discounted the Assembly's claims of imminent famine:

It is wicked to talk of Famine in the most plentiful Island of all the West Indies, and where I, who have no plantations, and must buy all the provisions for my Table, can assure your Lordship that scarcely any One Article of provisions and live Stock of the Island has raised in price for near these three years.⁶³

⁶⁰J.A.B., 13 February 1776. C.O. 131/39.

⁶¹Minutes of the Council of Barbados, 31 January 1776. C.O. 31/38 (hereafter cited as M.C.B.); Hay to Germain, 13 February 1776. C.O. 28/56, fos. 22-27d; Anonymous, *The West India Merchant...* (London, 1778), No. 16; Ragatz, *The Planter Class*, p. 151.

⁶²Address of the Assembly of Barbados to the King, 15 February 1776. C.O. 28/56, fos. 33-33d and 35-35d. The Address was signed by 13 of 22 members in the House. The other nine were absent.

⁶³Hay to Germain, 13 April 1776. C.O. 28/56, fo. 40.

In London, the petition received support from the West Indian Committee which made representations to North and Germain for its adoption.⁶⁴ Yet, it was turned down. George Walker, the Barbados Agent, accused Germain of not listening to any other reports than Hay's. He further accused the British Ministers of disregarding the plight of the sugar colonies: 'there is a settled plan of operations, to which they seemed determined to adhere, let Barbados, let all the West Indies suffer as they may'.⁶⁵ Similar charges were made by the Jamaica Assembly in 1779.⁶⁶ Lord Germain should not be blamed entirely for his miscalculations, for he had relied on Hay's reports. Later, in June 1778, he observed that from the Address of the Assembly of Barbados to the King, and from letters he had received from Barbadians resident in England, it was clear that distress in the island was far greater than he had been led to believe. Nevertheless, Germain showed his ignorance of West Indian problems when he told Hay that the islands should not rely on government help, but should be supplied through 'the ordinary and accustomed Methods'.⁶⁷

David Makinson in his work on Barbados concludes, because of his lack of alternative sources to supplement

⁶⁴ 'Extracts of the Minutes of the Assembly of Barbados', 9 July 1776. *Ibid.*, fos. 64-64d.

⁶⁵ *Ibid.*, fos. 64d-65.

⁶⁶ Address of the Assembly to the King, 7 December 1779. C.O. 137/76, fo. 200.

⁶⁷ Germain to Hay, 3 June 1778. C.O. 28/57, fos. 21-22.

the Governor's correspondence, that Hay had assessed the 'condition of his colony far more accurately than his antagonists in the Assembly, as there is no documentary proof, beyond a rise in prices, to substantiate the claims of either the Assembly or the Barbados Agent, George Walker'.⁶⁸ This is incorrect. Payne's letter of February 1776 to Major-General Sir William Howe, Commander-in-Chief of the British troops in America, provides the answer which Makinson's work has not given. Also, Payne's report on the condition of Barbados and the West Indies in general, is a more objective assessment than Hay's and contradicts the Governor's report that there were no food shortages in the island.

On Payne's arrival in Barbados, Hay called an emergency meeting of the 'Council, which resolved unanimously that Government should be supplied with all the Provisions they could spare. Indeed they went further; they have not left a single cask of Salt Provisions on the Island - On this occasion the Gentlemen seemed to have vied with each other, who should be most active in supporting the King's service'.⁶⁹ Commenting on the quantity of supplies remaining on the island, and on the general conditions of the West Indies, Payne concluded: '... all accounts agree and indeed I have had some proof of it, that the islands in general in the West Indies ... are in the greatest want of salt

⁶⁸Makinson, *Barbados*, p. 99.

⁶⁹Payne to Howe, 15 February 1776. C.O. 5/93, Part I, fo. 126.

provisions.⁷⁰

Not only did Payne's despatch show that all the West Indian islands were distressed by the American War, but an extract of a letter written by a Barbados planter to a gentleman in Jamaica in May 1777 gives us a fairly good picture of the condition of Barbados and the neighbouring islands. Severe dry weather had increased the burdens of the inhabitants. The planter wrote:

We are here in the most deplorable situation: our cane-pieces are almost entirely burnt up, many estates will not produce sufficient to answer the taxes and other contingent charges. The last year I made four thousand pots of sugar, which was a little more than a third of the usual quantity; but this year I shall scarce be able to send four hundred to market. Several even of the stationed ships will be obliged to return not more than half loaded, and others almost in ballast; the neighbouring islands are in a condition little better than ourselves.⁷¹

Other evidence shows that the economy of the sugar colonies was precariously situated. In April 1778 Lord Macartney, in acknowledging the declining production of Grenada, stated that the crops in Antigua and Barbados had failed, and they were badly in need of supplies.⁷² In July of the same year, Rear-Admiral Barrington found no provisions of any kind except rum in Barbados.⁷³

⁷⁰*Ibid.*, fo. 127d.

⁷¹'Extract of a letter from a Planter of Barbados to a Gentleman in Kingston', in *Supplement to the Cornwall Chronicle and Jamaica General Advertiser*, 10 May 1777, No. 128:4.

⁷²Macartney to Germain, 21 April 1778. C.O. 101/21, fo. 189; see figures in Appendix A, Tables 11 and 12.

⁷³Rear-Admiral Barrington to Philip Stephens, 13 July 1778. Adm. 1/310, fo. 299.

If we were therefore to accept Hay's reports of plenty in Barbados as being correct, then we would have to discount those of Captain Payne, Lord Macartney, and Rear-Admiral Barrington, or we would have to assume that the planters had abandoned sugar-cane cultivation. There is no evidence to indicate that the latter occurred, and thus it is more likely that Hay, without intending any malice, exaggerated the 'flourishing' condition of Barbados.

On the whole, the remaining islands depended on external markets for provisions and lumber, and at times they experienced periods of severe shortages. At the beginning of 1776, for instance, there was very little food in Dominica. Governor Shirley could only expect relief from captured American trading vessels with cargoes of corn and flour for the foreign islands, and from the operation of the Prohibitory Act⁷⁴ which allowed the colonists in the West Indies to trade with those towns and colonies in America which were under British control. Many planters were therefore forced to reduce their already meagre allowances of provisions given to the slaves, and there were fears of slave rebellions on account of the scarcity of food for the Negroes.⁷⁵

The Leeward Islands do not seem to have been affected as soon as Barbados or Dominica because their proximity to the foreign islands made it much easier for

⁷⁴Thomas Shirley to the Earl of Dartmouth, 4 February 1776. C.O. 71/6, fos. 31-31d. See Chapter II for a discussion of this Act.

⁷⁵*Connecticut Gazette*, 6 February 1776. In Clarke, ed., *Naval Documents*, p. 1319.

the merchants to trade illegally with the Americans, and because most of the prizes captured by British warships⁷⁶ and non-commissioned vessels fitted out by the merchants were carried there.⁷⁷ But as the War progressed into 1777, the number of captured American merchantmen decreased as the rebels had built remarkably fast sailing ships superior to those of the British squadrons in the Caribbean. Furthermore, by the end of 1776, the number of British warships in the West Indies was insufficient, with many of them being unseaworthy, for all the required naval services. Lastly, American trading vessels were carrying French, Dutch and even British registers, thus reducing the number which was captured.

By September 1777 conditions in the Leeward Islands had worsened considerably, and the scarcity then experienced was the worst for over forty years.⁷⁸ Consequently, every Council and Assembly made separate representations to Governor Burt for relief. The Assembly of Antigua, for example, promised to pass any measure which he might propose to forestall a famine.⁷⁹ A similar claim of impending famine in St. Kitts was made

⁷⁶Young to Stephens, 7 April 1776. Adm. 1/309, fo. 458d.

⁷⁷Burt to Germain, 7 June 1777. C.O. 152/56, fo. 108d.

⁷⁸Extract of a letter from Antigua May 17', in *The Antigua Mercury*, 20 September 1777. C.O. 152/56, fo. 22.

⁷⁹The Assembly of Antigua to Governor Burt in Council, 14 August 1777. *Ibid.*, fos. 203-203d. The Council later passed a resolution supporting the Assembly.

in a letter to Burt from the Council and Assembly.⁸⁰

Both Houses of the legislature of Montserrat sent a joint appeal to the Governor urging him to take immediate action to prevent famine in that island. Coupled with the loss of lives which would normally result from such a disaster, the white inhabitants were frightened of slave rebellions which might have occurred 'to the Community at large from the Impracticability of procuring Sustenance for our Slaves, cannot fail to operate very forcibly upon the Guardians of that Community, and to raise them to an Exertion of their best Efforts for preventing those Consequences'. Both Houses recommended the importation of provisions from the foreign islands in British ships as a possible solution.⁸¹

At the end of 1777 the conditions of those colonies worsened. There was no bread in Montserrat for a few days, and many Negroes in that island and Nevis received no food. In Antigua and St. Kitts, conditions were only slightly better,⁸² and in 1778 even less supplies reached the islands. Consequently, the various Councils and Assemblies petitioned Burt for further relief. The Council and Assembly of Nevis blamed the American War for their distresses.⁸³ The situation had

⁸⁰The Council and Assembly of St. Kitts to Governor Burt, 25 August 1777. *Ibid.*, fo. 201.

⁸¹The Council and Assembly of Montserrat to Governor Burt, 4 September 1777. *Ibid.*, fo. 205.

⁸²Burt to Germain, 1 December 1777. C.O. 152/57, fo. 151.

⁸³Petition of the Council and Assembly of Nevis to the King (no date). C.O. 152/59, fo. 75.

grown so alarming that the inhabitants had combined and used every known strategy to withhold payments of debts to John Pinney, Attorney to Mills & Swanston. Pinney who wanted to remain on amicable terms with his fellow colonists resigned his legal position with the company. He wrote:

You have no idea of the distressed and unhappy state of this country - a man capable & willing to pay his debts is become almost a prodigy - the unwarrantable & iniquitous proceedings made up to defeat the just right of Creditors are far beyond your conception: in short, a man's life is scarce safe'.⁸⁴

To relieve the British islands, Governors Hay and Burt, in conjunction with Vice-Admiral Young, adopted measures allowing the importation of American products. Early in February 1776, the Council and Assembly of Antigua asked Young to provide vessels going to America with 'Letters of Protection'.⁸⁵ Exactly where these vessels were going was left vague. About a month later, Hay who was writing to Lord Germain that there was no shortage of supplies in Barbados also asked Young to allow British vessels with American products from the foreign islands to carry passports exempting them from seizure by British warships.⁸⁶ In April the Council and Assembly of Nevis appealed to the Vice-Admiral to permit the prizes captured by ships in his squadron to be sent

⁸⁴Pinney to William Croker, June 1778. Pinney Papers: L.B. 4, p. 220.

⁸⁵J.A.A., 6 February 1776. C.O. 9/33.

⁸⁶Edward Hay to James Young, 24 March 1776, in M.C.B., 16 April 1776. C.O. 31/38.

to that island.⁸⁷ Influenced by several applications⁸⁸ asking for the importation of provisions from the neighbouring foreign islands in British vessels, in September 1777 Burt applied to Young and the officers of the Customs in Antigua to allow the importation of provisions from any place in British vessels.⁸⁹ Young agreed not to seize those trading to the neutral islands.⁹⁰

Likewise, because of the shortage of lumber,⁹¹ Burt allowed its importation in British vessels with certificates signed by at least two prominent merchants proving that the lumber was not the property of the American rebels, nor 'that any person in Rebellion hath any Share, Interest or Claim Thereto'.⁹² Most of the lumber and provisions carried to the neutral islands, however, went from America, and by extending his policy Burt was forced to sanction the illegal trade with the Americans through the foreign islands. It was difficult for him to do otherwise, especially since the merchants were assured by the Inspector-General that they were legally entitled to import all American products from

⁸⁷The Council and Assembly of Nevis to Young, 15 April 1776, in Minutes of the Council of Nevis, 2 May 1776. C.O. 186/7; see M.C.B. 2 April 1776. C.O. 31/38.

⁸⁸The Assembly of Antigua to the Governor in Council, 14 August 1777. C.O. 152/56, fos. 203-203d; The Council and Assembly of St. Kitts to Burt, 25 August 1777. *Ibid.*, fo. 201.

⁸⁹The Council and Assembly of Montserrat to Burt, 4 September 1777. *Ibid.*, fo. 205.

⁹⁰Burt to Germain, 17 September 1777. *Ibid.*, fos. 193-193d.

⁹¹Burt to Germain, 14 December 1777. C.O. 152/57, fo. 165.

⁹²Burt to Germain, March 1778. *Ibid.*, fos. 247-247d.

any place in British vessels.⁹³ Burt was also aware of his own policy and in order to justify it, and to exonerate himself from any charge of contravening British commercial laws, he wrote:

This mode my Lord is attended with an Injury, it takes from the Dutch and French American produce; but my Lord the Injury on the other side would be far greater; In this Dilemma of two Evils, I shall be under a Necessity of chusing the least and by giving every Aid so far as possible to the distressed loyal Planter and Merchant keep their Minds easy, and make them as happy as possible.⁹⁴

The policy of relaxing the Navigation Acts and of importing foreign supplies in British ships which became an important feature of British commercial policy in the West Indies after the War was introduced as a temporary measure by Governors Hay and Burt,⁹⁵ because of the small quantity of American supplies reaching the British West Indies, and was sanctioned by Lord Germain who believed that the necessity of the situation would 'extenuate' any charges brought against Burt:

Extraordinary Cases at all times call for extraordinary Exertions, and the Servants of the Public must use every proper means to prevent unforeseen, & unprovided for Distress and trust to the exigency of the Case, and the integrity of their Intentions, for Justification and Indemnity, if they step beyond the exact Bounds of their legal Duty.⁹⁶

⁹³See Chapter III.

⁹⁴Burt to Germain, 14 December 1777. C.O. 152/57, fo. 165.

⁹⁵Hay to Young, 24 March 1776, in M.C.B., 2 May 1776. C.O. 31/38.

⁹⁶Germain to Burt, 3 June 1778. C.O. 152/57, fos. 331-331d.

At the close of 1778 when the Leeward Islands were again threatened with famine, the various Councils and Assemblies recommended the suspension of the Navigation Acts to allow the importation of all kinds of provisions and lumber from any place, and in any vessel.⁹⁷ In April 1779, therefore, Burt ordered the Customs officers in Antigua to allow foodstuffs to be imported from any place and in any vessel, except those belonging to America and France. Though the order had excluded these ships, many of those which probably took advantage of this measure belonged to the Americans, but carried Dutch and even British registers. Burt's policy was based on his own belief that no 'Revenue Law or Act is too Sacred to be set aside', in such trying conditions.⁹⁸ Of course, Burt had foundation for his decision. The previous August Germain had assured him that he was free to take any step to prevent famine as 'no human Law can be supposed too sacred a nature to be dispensed with when a Famine must be the inevitable Consequence of enforcing the observance of it'.⁹⁹

The measures initiated by Hay and Burt brought only temporary relief to the inhabitants. The trade with the foreign islands could not replace the former American

⁹⁷The Council and Assembly of Nevis to Governor Burt, 8 December 1778. C.O. 152/59, fo. 64; The Assembly of Antigua to Governor Burt. *Ibid.*, fo. 113.

⁹⁸Governor Burt to the Officers of the Customs in Antigua, 11 October 1778. *Ibid.*, fo. 15.

⁹⁹Germain to Burt, 5 August 1778. C.O. 152/58, fo. 111d.

commerce. Moreover, the supplies were insufficient because of the high costs of provisions in the foreign islands, coupled with the shortage of money in the British West Indies. Consequently, periods of critical scarcity of food were experienced continuously throughout the War. Between 1776 and 1782, several petitions from the Assemblies of the Leeward Islands and Barbados were sent to the King requesting supplies from Britain. Within the first seven months of 1776, the Barbados Assembly sent two unsuccessful ones.¹⁰⁰ But in October 1777, another address supported by a memorial from some Barbadian planters resident in England was successful.¹⁰¹ Lord Germain's evidence, in support of the address, showed that there was likely to be a famine without direct help from the British government,¹⁰² and on his recommendations the Lords of the Treasury directed Charles Atkinson, a partner in Mure, Son & Atkinson, London merchants, to consign a supply of provisions to Governor Hay to be sold at cost price, and in small quantities to the planters.¹⁰³

The relief sent out to Barbados, and the scarcity

¹⁰⁰Address of the Assembly of Barbados to the King, 15 February 1776. C.O. 28/56, fos. 33-33d; Address of the Assembly to the King, 9 July 1776. *Ibid.*, fos. 73-74. The second was in support of the first.

¹⁰¹The memorial was signed by John Brathwaite, Samuel Estwick, the Agent, and William Prescod; 'Memorial of the Planters of Barbados' to the Lords of the Treasury, in M.C.B., 30 December 1777. C.O. 31/38.

¹⁰²Extract of Minutes of the Treasury', 21 October 1777. *Ibid.*

¹⁰³John Robinson to Edward Hay, 25 October 1777. *Ibid.*

of supplies in the Leeward Islands, influenced Governor Burt to renew an earlier appeal to the British government for assistance. From the tone of Burt's despatches, even though he tried to play down the seriousness of the declining fortunes of the Leeward Islands, the situation there was grave:

In Public Letters I have begg'd for vessels being sent to this Government with provisions: in those Official Letters I would not say my Dread of Want from September to January, provided there is not a Peace with America: unless these Ships are sent, the Ground and Colonial Provisions will not half supply us; add to this, should there be a Hurricane God only knows what may be the Event.¹⁰⁴

Burt requested that four ships with supplies - two for St. Kitts and Nevis, and two for Antigua and Montserrat - should be sent out immediately. A month later, he was again writing that because of an embargo in America restricting supplies to the foreign islands, the British West Indies would be even more distressed.¹⁰⁵ The fact that Burt admitted this shows that the islands continued to rely on the American colonies for food during the War. A year later the Treasury ordered out a quantity of provisions for the Leeward Islands, but only after the Antigua Assembly had borrowed £20,000 to pay for it.¹⁰⁶ In welcoming the Treasury's decision, Burt wrote:

No relief was ever more seasonable than the Provisions ordered; those purchased with the Money raised will be Expended in a few Weeks; where then to get a supply -

¹⁰⁴Burt to Germain, 17 June 1778. C.O. 152/58, fos. 192-192d.

¹⁰⁵Burt to Germain, 30 June 1778. *Ibid.*, fo. 226.

¹⁰⁶Burt to Germain, 14 June 1779. C.O. 152/59, fo. 208; Ragatz, *The Planter Class*, pp. 157-158.

Heaven only knows; it has supplied us through the Bounty of our Sovereign, and the feelings of his Ministers; had not these Bills been also Accepted the Colony must have Sunk: . Private Credit is almost Expired, Public then would have been threatened with its last Gasp: Notwithstanding these Reliefs 'tis a Melancholy truth that many have Perished thro' want.¹⁰⁷

In Jamaica, the prohibition of American trade was critical at first, but grew less so as the War continued. The Assembly fearing an economic recession asked Sir Basil Keith at the end of 1775 to adopt measures to relieve the inevitable shortage of provisions and lumber.¹⁰⁸ One step which the House had probably contemplated was the relaxation of the Navigation Laws, as Governor Burt had initiated. This was not done, and from the middle of 1776 the essential articles of fish, salted pork, corn, and rice, the chief diet of the slaves became scarce,¹⁰⁹ and prices rose by over 100 per cent.¹¹⁰ By the end of the year, the scarcity of provisions and lumber grew worse daily, and because of the limited quantity of food produced in the colony, there were serious fears that any delay of the convoys from England and Ireland would have disastrous effects.¹¹¹ The conditions in Jamaica might have improved later in the War as

¹⁰⁷Burt to Germain, 19 December 1779. C.O. 152/60, fos. 59d-60.

¹⁰⁸The Assembly of Jamaica to Sir Basil Keith, in J.A.J., 22 December 1775. C.O. 140/46, p. 630.

¹⁰⁹Dalhouse and Stephens to Sir John Hugh Smyth, 23 July 1776. Woolnough Papers: Ashton Court Collection: AC/WO. 16(27), pp. 89-101.

¹¹⁰*Ibid.*

¹¹¹Sir Basil Keith to Lord Germain, 24 December 1776. C.O. 137/72, fo. 34d.

a result of the measures adopted by the Assembly to encourage the planters to grow more food.¹¹²

Grenada seems also to have experienced a milder economic setback than the older islands. In 1776 when the London newspapers reported a shortage of provisions and the possibility of famine in the British West Indies, Lord Macartney denied that his government was affected. He reported a large quantity of beef and flour, in so much so that vessels which had gone there had to sail away in search of better markets.¹¹³ The increased cultivation of local provisions had averted any severe shortages, and thus the planters' production of sugar and rum declined only slightly. In July 1777 Macartney's estimates of the number of ships which sailed from the southern Caribbean islands to Britain were: 107 from Grenada, 23 from Tobago and 11 from St. Vincent.¹¹⁴ In 1778 the number had decreased: there were only 27 from Grenada, 4 from Tobago and 6 from St. Vincent: 4 were for Halifax and Quebec and the remainder for Britain.¹¹⁵ Though this was disappointing, before its capture in 1779 Grenada had produced one of its largest crops valued at over £700,000 sterling, and the merchant fleet was estimated at '50 large top sail vessels for

¹¹²Ragatz, *The Planter Class*, pp. 152-153.

¹¹³Macartney to Germain, 3 September 1776. C.O. 101/20, fo. 203.

¹¹⁴'List of Topsail Vessels from Grenada, laden with the produce of the Southern Caribbee Islands, since last March 1777', in Macartney to Germain, 28 July 1777. *Ibid.*, fo. 243.

¹¹⁵Macartney to Germain, 21 April 1778. C.O. 101/21, fo. 189.

Great Britain & Ireland & 10 or 12 for Quebec, Halifax, New York and Savannah'¹¹⁶

Yet, as in the case of the other islands, the American War had retarded the economic progress of Grenada, and had therefore prevented 'it from attaining that degree of prosperity & improvement which was expected and of which it is undoubtedly Capable', wrote Lord Macartney.¹¹⁷ Likewise, by the end of 1778 all articles of provisions had grown scarce and expensive.¹¹⁸ The shortage of supplies in that year was even more serious as no ships were expected from Britain and Ireland before January 1780.¹¹⁹

The reduction in supplies of provisions and lumber reaching the British West Indies led to a rapid escalation of prices, and the cost of maintaining the estates was a severe burden to the planters. While the price of imported goods increased to exorbitant heights, those for local produce fell 'so low as not to bear any proportion thereto'.¹²⁰ The rise in prices began early in 1776, and became worse as the War continued. In Dominica, the overall increase was less than in the other small islands. For example, 'in 1776, 1777, & 1778 the average price of lumber was double that of the former years. Horses,

¹¹⁶Macartney to Germain, 23 May 1779. C.O. 101/23, fo. 159.

¹¹⁷Macartney to Germain, 30 June 1776. C.O. 101/20, fo. 30.

¹¹⁸Macartney to Germain, 10 October 1778. C.O. 101/22, fo. 139.

¹¹⁹Macartney to Germain, 3 April 1779. C.O. 101/23, fo. 116d.

¹²⁰Petition of the Assembly of Dominica to the King, 24 April 1776. C.O. 71/6, fo. 53.

Horned Cattle and live stock rose about 75 per cent. Rice, Flour and Fish, about 50 per cent. Beef and Pork about 25 per cent'. But after the French captured the island in 1778, in 1779, 1780 and 1781 the prices of most articles increased 100 per cent., while those for lumber, flour, beef and pork trebled.¹²¹

In 1776 George Walker, the Barbados Agent in London, estimated that the cost of food for the white people in Barbados had risen more than 150 per cent. Salt-fish and herring had increased in like proportion, and corn, one of the chief foods for the slaves, had risen by 400 per cent.¹²² From the Governors' reports on prices sent in 1785 to Lord Sydney, Secretary for the Home Department, the increased cost of lumber and provisions in all the islands during the American War ranged from 150 to 500 per cent over pre-War prices.¹²³ William Smalling, a planter, gives us a good idea of the situation in Jamaica in 1777:

... everything is at present extravagantly dear. Beef sells at £10 per barrell and other articles in proportion. Lumber we cannot afford to purchase any. If the unfortunate war in America is not soon ended we shall suffer greatly. This Country Corn is now from 5/ to 12/6 - and should our own provision fail we must starve of which we had a specimen last year.¹²⁴

¹²¹'Answers to Heads of Inquiry', 22 January 1785. C.O. 71/9, fo. 61.

¹²²George Walker to Lord Germain, 8 September 1776. C.O. 28/56, fos. 75-76; Ragatz, *The Planter Class*, p. 153; see Appendix D, Table 1.

¹²³See Appendix D, Tables 2, 3, 4 and 5.

¹²⁴William Smalling to Sir Joseph Foster Barham, 10 July 1777. Barham Papers: Bodl. MSS. Clarendon, Dep. C 357, Bund. 1.

In contrast, although rum prices in Barbados and the Leeward Islands increased during the War, this was insufficient to compensate for the high costs of provisions and lumber. The average price for Barbados shows that rum sold in that island doubled in value between 1777 and 1783, and was much higher than in any of the remaining islands for which statistics are available. In the Leeward Islands the price of rum rose from 2s.6d. in 1777 to 4s. per gallon in 1783.¹²⁵ St. Vincent rum increased by an average of only 9d. per gallon, from 2s.3d. per gallon before the War to 3s. during it;¹²⁶ while in Jamaica, the increase was only 5 to 10 per cent.¹²⁷ The low prices for rum in the colonies were caused by the loss of the American market.

In Britain, after the initial increase in the prices of West Indian products at the beginning of 1776, there was a slump. The sale of rum fell off, and the price declined to as low as 2s. per gallon by the end of the first half of the year.¹²⁸ The lack of demand for this article continued throughout the American War, and though prices rose slightly around the end of August 1777, they did not get above 2s.3d. to 2s.4d. per gallon.¹²⁹

¹²⁵See Appendix D, Table 6.

¹²⁶'Answers', in Edmund Lincoln to Lord Sydney, 8 January 1785. C.O. 260/7, No. 14.

¹²⁷Michael Craton and James Walvin, *A Jamaican Plantation. The History of Worthy Park 1670-1970* (London, 1970), p. 119.

¹²⁸Houston & Co. to Houston and Peterson, 19 June 1776. Houston Papers: N.L.S. MSS. 8,793, p. 45.

¹²⁹Houston & Co. to Charles Irvine (Jamaica), 28 August 1777. *Ibid.*, p. 259; Houston & Co. to Jonas Akers (St. Kitts), 31 December 1777. *Ibid.*, p. 327; Houston & Co. to Thomas Frith (St. Vincent). 31 December 1777. *Ibid.*, p. 328.

The shortage of money in Britain after 1778 also hindered the sale of West Indian products.¹³⁰ Cargoes of rum, cotton, and even sugar remained in the store-houses of British companies for months.¹³¹ For example, Houston wrote to his agents in St. Vincent in November 1778: 'Rum is at present, & has been for several months past, a perfect drug....'¹³² Information sent to England from the colonies in 1779 told the same sad tale: 'no Sale for Rum here, is become a drug....'¹³³

Coupled with the lack of rum sales, the production costs of sugar increased during the War.¹³⁴ For example, the salaries for white bookkeepers, overseers, distillers and carpenters rose by 50 per cent in Jamaica, according to Long's figures.¹³⁵ Other figures show, however, that the wages of bookkeepers increased by 40 to 100 per cent. Those for skilled labourers advanced by as much as 100 per cent. Carpenters' wages, which were usually £50, increased to £70 and £80 for ordinary ones, and as high

¹³⁰Houston & Co. to Messieurs Gill and Nisbet, 30 July 1778. Houston Papers: N.L.S. MSS. 8,794, p. 40; see Chapter II.

¹³¹Houston & Co. to Josias Jackson (St. Vincent), 31 December 1777. Houston Papers: N.L.S. MSS 8,793, p. 230.

¹³²Houston & Co. to Turner and Paul, 23 November 1778. Houston Papers: N.L.S. MSS. 8,794, p. 78.

¹³³'Jamaica Advices', 27 July 1778. Add. MSS. 12,412, fo. 19d.

¹³⁴Hall, 'Incalculability as a Feature of Sugar Production', *Social and Economic Studies* (1961), Vol. X, No. 3, p. 343.

¹³⁵'Comparative Prices and Charges attending the Jamaican Planter at and since the Commencement of the War extracted from actual accounts' (no date). Add. MSS. 12,413, fo. 45 (hereafter cited as 'Comparative Prices and Charges').

as £100 for a very good tradesman; while distillers' salaries rose from £20 to £30 annually.¹³⁶ Similarly, the cost of employing Negro labourers advanced quite significantly in some islands;¹³⁷ from 1s.10d. and less per day to 2s.3d. on the average, and as high as 2s.6d. per day.¹³⁸

Other charges also increased during the War. For example, the cost of producing sugar in Jamaica was estimated at £12 sterling per hogshead or roughly 20s. per cwt at the outbreak of the War. This was slightly less when the planters were able to reduce boiling and curing charges from approximately £7 to £4. With increased freight and insurance charges, interests on debts and duties, amounting to approximately £1.13s., the minimum cost of producing 1 cwt of sugar was approximately 47s. Many planters therefore made little or no profit when their sugars were sold in Britain.¹³⁹ In addition to the increased cost of sugar production, the planters also paid higher prices for slaves because of the small number imported into the islands.¹⁴⁰

At the best times, the estates business in the

¹³⁶Van Keelen to Barham, 9 September 1782. Barham Papers: Bodl. MSS. Clarendon, Dep. C. 357, Bund. 1.

¹³⁷Lieutenant-Governor Joseph Graham to Lord Germain, 27 July 1779. C.O. 101/23, fo. 203.

¹³⁸Van Keelen to Barham, 9 September 1782. Barham Papers: Bodl. MSS. Clarendon, Dep. C 357, Bund. 1.

¹³⁹'Charges to produce 1 cwt sugar in Jamaica', 1781. Add. MSS. 12,412, fos. 23d-24.

¹⁴⁰'Jamaican Advices', November 1778. *Ibid.*, fo. 3; see Chapter III.

West Indies was an uncertain one, and it became even more so during the American War. Apart from the high costs of production and the lack of adequate supplies, the islands' crises were compounded by a series of natural disasters. Antigua was so severely hit by excessively long periods of dry weather that Governor Burt likened the island to the 'deserts of Arabia'. Antigua which produced on the average about twenty thousand hogsheads of sugar annually, produced only four thousand hogsheads in 1779. If this had belonged to one planter, it could not pay his taxes, servants' wages, repairs 'and Contingent expenses, much less Aid the Great Expence of feeding the slaves, which in tolerable years are generally supported for one third of the year by Country Produce',¹⁴¹ wrote Burt. Many small planters had to sell their entire year's crop to the local merchants in order to pay their debts,¹⁴² while those in Britain accumulated. Consequently, the effects of the American War coupled with the natural disasters, and domestic political crises¹⁴³ led to a loss of confidence in the sugar economy. One planter wrote:

The present gloomy prospect of American affairs, united with our internal deplorable situation, causes an apparent dejection in countenance of every man, and unless some speedy alteration takes place, God only knows what will be the event of this

¹⁴¹Burt to Germain, 3 May 1779. C.O. 152/59, fo. 111d.

¹⁴²Pinney to Mills and Swanston. 31 July 1777. Pinney Papers: L.B. 4, p. 151.

¹⁴³See Chapters VI to VIII.

fatal War: I tremble for the Consequence.¹⁴⁴

In Jamaica, a hurricane and earthquake in October 1780 destroyed Savannah la Mar, Lucea and the parishes of Westmoreland, Hanover and St. James. Hardly a building was left standing and over one thousand people were killed.¹⁴⁵ A committee appointed by Governor Dalling to evaluate the cost of the damages estimated that the losses in Westmoreland alone exceeded £950,000 Jamaican currency. In Hanover, over a quarter of all property was completely destroyed. The Kingston merchants contributed around £10,000 worth of provisions, clothing and medicine for the relief of the sufferers.¹⁴⁶

A week later, the second hurricane to hit the West Indies devastated Barbados. Plantations were destroyed, and the loss of local provisions and live stock added to the planters' distress. Admiral Rodney's appraisal of the island's condition summarises the extent of its destruction:

...nothing but ocular demonstration could have convinced me that it was possible for wind to cause so total a destruction of an Island remarkable for its numerous and well-built habitations - the whole face of the country appears one entire ruin and the most beautiful island in the world has the appearance of a country laid waste by fire and sword, and appeals to the imagination more dreadful than it is possible...to find words to express.¹⁴⁷

¹⁴⁴ John Pinney to Peter Easton, 18 April 1777. *Ibid.*, p. 90.

¹⁴⁵ Charles Ruddach to Charles Steuart, 30 October 1780. Charles Steuart Papers: N.L.S. MSS. 5,032, fos. 57d-58; 'Extract from the Supplement to the Kingston Gazette', 14 October 1780. C.O. 137/79, fos. 41-42d.

¹⁴⁶ John Dalling to Lord Germain, 20 October 1780. *Ibid.*, fo. 13d.

¹⁴⁷ Admiral Rodney to Philip Stephens, 12 November 1780. Adm. 1/311, fos. 423-423d.

Approximately 2,033 Negroes, 211 horses, and 6,606 cattle were killed. The total cost of damages was put at over £1,000,000.¹⁴⁸ These natural disasters were more acutely felt, and bore heavier on the planters, as they were unable to receive relief from America.

The small margin of profit, if any, at this time made the planters even more dependent on good yearly crops, large exports to England and high prices, if they were to meet most of their estate expenses. But the quantity of West Indian staples imported into Britain declined, and except for sugar there was little demand in Britain for West Indian products. Though the reduction in the imports of sugar led to substantial price increases, there were times when prices would fall significantly because of the arrival of the West Indianmen, reduced exportation of refined sugar to Europe, or the scarcity of money.¹⁴⁹ In other words, the market fluctuated much in the same way as during peace time.

After the initial jump in sugar prices at the beginning of 1776, they declined and remained low for the rest of the year¹⁵⁰ because speculators who had forced the prices up by purchasing all the sugar

¹⁴⁸ 'An Account of the Damage done by the Hurricane in Barbados', 10 October 1780. *Parliamentary Papers*, Vol. 84, Part III, A. No. 15.

¹⁴⁹ William Cuninghame to Robert Dunmore, 9 July 1778. Cuningham of Lainshaw MSS: N.R.A. (Scotland), GD 247, Box 5, Bun. Q.

¹⁵⁰ Houston & Co. to Houston and Paterson, 19 June 1776. Houston Papers: N.L.S. MSS. 8,793, p. 45.

arriving at British ports had left the market in a state of stagnation.¹⁵¹ At times much of the sugar remained unsold,¹⁵² and there was no certainty whether prices would rise or fall.¹⁵³ However, sugar prices rose again between September and December 1777.¹⁵⁴ At the beginning of 1778 they declined slightly but soon regained their former level and remained so until July 1778, with Jamaica and Tobago sugars being sold for the lowest price of 46s. to 52s., and 47s. to 52s. per cwt: those from Antigua and St. Kitts fetched as much as 51s., and 57s. respectively.¹⁵⁵ However, in August when France entered the War, there was little demand for British refined sugar in Europe, and in London the sale of sugar was 'exceeding slack & the prices of what little was sold was less than' those of the previous month.¹⁵⁶ Prices increased later in the War,¹⁵⁷ but the benefits to the planters were minimal because of

the heavy losses they had sustained from
the failure of the crop, and the
consequences of the American War, in the

¹⁵¹'The Causes of the Rise of the Price of Sugar', 6 July 1778. Add. MSS. 12,404, fo. 445.

¹⁵²Houston & Co. to Charles Irvine, 28 August 1777. Houston Papers: N.L.S. MSS. 8,793, p. 259.

¹⁵³'The Causes of the Rise of the Price of Sugar', 6 July 1778. Add. MSS. 12,404, fo. 445.

¹⁵⁴See Appendix D, Table 7.

¹⁵⁵Cuninghame to Dunmore, 27 July 1778. Cuninghame of Lainshaw MSS: N.R.A. (Scotland), GD 247, Box 5, Bun. Q.

¹⁵⁶Cuninghame to Dunmore, 13 August 1778. *Ibid.*

¹⁵⁷Ragatz, *The Planter Class*, p. 167.

high rates of freight and insurance, the extraordinary charges of carrying on their plantations from the dearness of lumber and provisions, the scarcity of which had in some islands occasioned a mortality among their Negroes.¹⁵⁸

From 1776 to 1783, throughout the West Indian Islands, foreign as well as British, only about two-thirds of the average crop of sugar was produced. Furthermore, the troubles between Spain and Portugal stopped all exportation of sugar from Brazil to Lisbon, thus raising prices in Europe and causing a large quantity of refined sugar to be sent there from Britain.¹⁵⁹ Refined sugar was about 2½d. per pound cheaper in England than in France, in spite of the high costs of freight and insurance paid by the West Indian planters.¹⁶⁰

Consequently, when the sugar refiners petitioned the Commissioners of the Customs in March 1780 for a reduction of the duty on prize sugars entering Britain, and for a bill to lower the duty for a limited time,¹⁶¹ the West Indian Committee used the orthodox mercantilist arguments to oppose any restrictions on their privilege of supplying the British market.¹⁶² Later that year,

¹⁵⁸'The Causes of the Rise of the Price of Sugar', 6 July 1778. Add. MSS. 12,404, fo. 445; Allen, 'British Commercial Policy in the West Indies 1783-1793', p. 38.

¹⁵⁹'The Causes of the Rise of the Price of Sugar', 6 July 1778. Add. MSS. 12,404, fo. 445.

¹⁶⁰'Jamaican Advices', 21 April 1778. Add. MSS. 12,412, fo. 3d.

¹⁶¹Minutes of the West India Merchants, 1 March 1780, Vol. II, fos. 24d-25d.

¹⁶²*Ibid.*, fo. 26.

when a second petition from the refiners seemed imminent, the West Indian merchants again prepared to oppose the application, informing North and Germain that the refiners were being supplied with cheaper raw sugar than when their first petition was made, and that they sold refined sugar at higher prices.¹⁶³ In spite of opposition from the West Indian interests, the London refiners, with the support of the Treasury Board, petitioned Parliament early in 1781 for the importation of prize sugar at the same duty as British produced sugar. Similar pleas were made by the Bristol refiners and the London grocers.¹⁶⁴

These repeated attempts to reduce the duty on prize sugar led to a vigorous opposition from the West Indian lobby in Parliament. In May 1781 the West Indian Committee, as well as Stephen Fuller, sent petitions to the House of Commons. In his petition, presented by John Fuller, Member for Southampton, the Jamaican Agent argued that the advanced prices on freight, insurance, lumber, provisions and plantation utensils, the higher duties on West Indian products imported into Britain, and the increased local taxes on the planters had almost ruined them. It was therefore unwise, he maintained, to alter British commercial laws because of the refiners' petitions which were

¹⁶³Minutes of the West India Merchants, 13 December 1780, Vol. II, fos. 50d-51.

¹⁶⁴Ragatz, *The Planter Class*, p. 169; Minutes of the West India Merchants, 3 February 1781, Vol. II, fo. 55.

calculated solely to lower the price of sugar.¹⁶⁵

The refiners lost in their efforts to secure legislation to reduce the duty on prize sugar, but the planters were affected by the petitions nevertheless. In 1781, for example, the West Indian Committee did not oppose legislation allowing the importation of sugar from the captured Dutch colonies of Essequibo and Demerara at British plantation duties.¹⁶⁶ Under an Act, sugar from these colonies was entitled to the same drawback on exportation as British West Indian sugar.¹⁶⁷ By another, Parliament suspended the Navigation Acts to allow the importation of sugar from the captured British islands of St. Kitts, Nevis and Montserrat into Britain and Ireland at British plantation duty, and in British or neutral vessels.¹⁶⁸ West Indian Governors were ordered to give passports to ships trading with the captured colonies.¹⁶⁹ By an Order-in-Council of June 1782, the suspension of the Acts was enforced, and captains of all British warships and privateers were prohibited from capturing any vessel enroute to Britain or Ireland with foreign products on board.¹⁷⁰

¹⁶⁵ Minutes of the West India Merchants, 21 June 1781, Vol. II, fo. 63.

¹⁶⁶ Minutes of the West India Merchants, 29 May 1781, Vol. II, fos. 62-62d.

¹⁶⁷ 21 Geo. III C. 62.

¹⁶⁸ 22 Geo. III C. 30; 'Extract from the Minutes of a General Meeting of the Planters and Merchants Interested in the Islands of St. Christopher, and Nevis', 7 April 1782. C.O. 152/62, fo. 34.

¹⁶⁹ Thomas Shirley to Lord Shelburne, 26 June 1782. *Ibid.*, fo. 122.

¹⁷⁰ 'Instructions from the Earl of Shelburne', 7 June 1782, in J.A.J., 12 February 1783. C.O. 140/59, p. 549.

The suspension of the Navigation Acts, apart from showing the readiness of the British government to forsake the islands when the interests of the planters conflicted with those of the home industries and consumers, had a two-fold effect on the planters. First, the capture of St. Kitts, Nevis and Montserrat made it much easier for French and Dutch merchants to export their sugar to Britain and Ireland. Second, by allowing neutral, as well as British, vessels to carry West Indian staples to the United Kingdom, a considerable part of the shipping was diverted from the British to the foreign islands. A committee of the Jamaica Assembly, after investigating the effects of the new regulations, reported to the House that 'while French sugars were triumphantly sailing into the ports of Great Britain, under Imperial colours, uncharged either by enormous freight or enormous insurance', Jamaican products remained on the wharves because of the loss of the customary means of shipping.¹⁷¹

The Jamaica Assembly and Council now attacked British policy as one which brought no benefits to the planters, but discriminated against their products. Both Houses adopted the position that traditional British commercial policy should be maintained. Any change should provide benefits to the planters since they were expected to contribute to the British economy. In voicing their protest, both Houses demonstrated their

¹⁷¹J.A.J., 12 February 1783. *Ibid.*, p. 545.

fears of the repercussions which would ensue from suspension of the Acts, and argued that British policy,

while it limits the trade of the colonies, gives them in return a kind of exclusive preference at the home market by the great duties which were there imposed upon foreign West-India produce; but the temporary laws in question, while they take away this preference, have carefully preserved all the limitations: By the sanction which gives a latitude even to English vessels to load at St. Domingo, French sugars, unclogged either by enormous freight or enormous insurances, are poured into the ports of Great Britain; and thus, under every disadvantage, we meet with competition at our own markets....¹⁷²

Between 1779 and 1783, British policy not only rejected the concept of preferential treatment for the West Indian planters, but the duties on British plantation products were increased to help pay the rising costs of the American War. In 1779 Parliament imposed a tax of 5 per cent on the Customs and Excise duties on colonial products imported into Britain. The new charges raised the tax on 1 cwt of sugar from approximately 6s.4d. in 1775 to 6s.8d. in 1779. Again, in March 1781 the duty on sugar was almost doubled from 6s.8d. to 11s.8d. per cwt.¹⁷³ A year later, Lord John Cavendish abandoned the unpopular turnpike and carriage tax, and replaced it with another 5 per cent tax upon

¹⁷²J.A.J., 27 February 1783. *Ibid.*, p. 567.

¹⁷³19 Geo. III C.25; 'History of the Policy Hitherto pursued by... (Britain) with respect to the Trade of Sugar' (no date). Add. MSS. 38,759, fo. 32 (hereafter cited as 'Trade of Sugar').

the Customs and Excise.¹⁷⁴ Effective from 25 July 1782, the duty on 1 cwt of sugar rose from 11s.8d. to 12s.3d.¹⁷⁵

There was some division of opinion as to whether the new duties would be borne by the planters or the consumers. The official view was that the consumers would ultimately pay the tax, but the general consensus in the West Indies, and among some merchants trading with the islands, was that the taxes would severely affect West Indian properties,¹⁷⁶ 'as to render the culture of sugar-cane scarce worthy of attention'.¹⁷⁷ The Assembly and Council of Jamaica assumed the lead in opposing the latest duty, and sent a petition to the King.¹⁷⁸ In July 1781, the Assembly further resolved that if the duty were not withdrawn, it would assist the sugar planters to refine their sugar for exportation to the United Kingdom,¹⁷⁹ and threatened to vote no more money for the island's defence after March 1782.¹⁸⁰ Adopting a similar argument to that formerly held by the Americans in their disputes with Britain,

¹⁷⁴Stephen Fuller to the Assembly of Jamaica, 29 June 1782, in J.A.J., 16 November 1778. C.O. 140/59, p. 507.

¹⁷⁵22 Geo. III C.16; 'Trade of Sugar' (no date). Add. MSS. 38,759, fo. 32.

¹⁷⁶Houston & Co. to Walter Nesbit, 17 April 1781. Houston Papers: N.L.S. MSS. 8,794, p. 521.

¹⁷⁷Pinney to Manning, 25 July 1781. Pinney Papers: L.B. 5, p. 131.

¹⁷⁸Petition of the Assembly and Council to the King, 3 July 1779. C.O. 137/75, fo. 85.

¹⁷⁹J.A.J., 14 February 1783. C.O. 140/59, p. 553.

¹⁸⁰J.A.J., 13 July 1781. C.O. 137/80, fos. 279-280; Dalling to Germain, 24 November 1781. C.O. 137/82, fo. 32.

the Assembly sent a petition to the King claiming that British policy was 'repugnant to the soundest principles of Colonization', and that though the island was a colony in whose trade Britain had an exclusive privilege, it was 'incompatible with those principles 'to convert what ought to be an Object of Trade into a Source of Revenue'.¹⁸¹

The increased duties on West Indian products, the prohibition of the islands' trade with America, the series of natural disasters, the high prices of provisions and lumber in the colonies, and the reduction of exports to Britain fell hard on the majority of sugar growers, increased their debts, and affected their capital investments in slaves who were now used to plant corn instead of cane.¹⁸² This practice led to increased costs to the planters who had to hire extra slaves to regain lost time.¹⁸³ Yet, although the slaves' time was invaluable to the production of sugar¹⁸⁴ and could not be misused, it was necessary during the American War to grow food to prevent mass deaths among the Negroes.

On some estates, such as that of Sir Joseph Barham, for example, of the 167 Negroes between the ages of thirty and forty, only a few were able-bodied ones

¹⁸¹Petition of the Assembly of Jamaica to the King, 17 November 1781. *Ibid.*, fo. 25.

¹⁸²Dalhouse and Stephens to Smyth, 14 January 1778. Woolnough Papers: Ashton Court Collection, AC/WO 16(27), pp. 89-101.

¹⁸³Dalhouse and Stephens to Smyth, 26 May 1779. *Ibid.*, 102-112.

¹⁸⁴Craton and Walvin, *A Jamaican Plantation*, p. 105.

who were fit to work. The remainder were suffering from malnutrition because of 'a very great scarcity of provisions...' which was generally the case on the other estates.¹⁸⁵ By March 1778, over a thousand slaves had died in Antigua. Montserrat had lost twelve hundred, and in St. Kitts many died from hunger.¹⁸⁶ In Jamaica¹⁸⁷ and Barbados there were also numerous deaths among the slaves, because of repeated hurricanes and lack of food. In 1780 and 1781 in Barbados, an estimated 5,000 slaves died because of the hurricane of 1780 and the scarcity of provisions. John Brathwaite, the Agent for the Assembly, estimated that the slave population declined from 74,874 in 1774, to 63,248 in 1781.¹⁸⁸ In 1784 there only were 61,808 slaves in that island.¹⁸⁹

So disheartening were the economic conditions of the British colonies that some planters emigrated to the foreign islands with their slaves,¹⁹⁰ while others sold their estates and Negroes at public auction for much less than their real value to pay their debts.¹⁹¹

¹⁸⁵ Van Keelen to Barham, 7 April 1781. Barham Papers: Bodl. MSS. Clarendon, Dep. C. 357, Bun. 1.

¹⁸⁶ Southey, *History of the West Indies*, Vol. II, p. 479.

¹⁸⁷ 'Statement of Circumstances relating to the Slave Trade, 1789'. *Parliamentary Papers*, Vol. 82, No. 626, p. 4.

¹⁸⁸ 'Propositions relative to the Slave Trade, 1784'. *Ibid.*, No. 627, p. 3.

¹⁸⁹ 'An Account of the Number of Slaves returned into the Treasurer's Office of Barbados from 1780 to 1787 inclusive', 1788. C.O. 28/61, fo. 204.

¹⁹⁰ Macartney to Germain, 25 October 1778. C.O. 101/22, fo. 157.

¹⁹¹ Hay to Germain, 4 June 1778. C.O. 28/57, fos 41-42.

Other planters abandoned their estates, and left the islands to escape litigation in the courts.¹⁹² A year before his death, Hay was disillusioned by the damaging effects of drought and the American War on the island's economy: '...the short Crops for several Years past have not been sometimes sufficient to pay the certain annual Expence of the plantation much less to enable them to pay off any of their debts',¹⁹³ he wrote.

Moreover, not only were the planters heavily in debt, but throughout the British West Indies the governments could not procure credit. The local treasuries were empty, and most Assemblies were unable to collect the taxes. Despite his attempt, Hay could not ascertain the true amount of his government's debt¹⁹⁴ which was put at £30,000 in 1782 by his successor James Cuninghame.¹⁹⁵ As no plan could be devised to pay it, half of the Parliamentary gift of £80,000 for the sufferers of the hurricane of 1780 was used to liquidate the debt. In St. Kitts, a joint committee of both Houses was set up in December 1779 to raise £5,000 by public subscription to cover the expenses of the troops sent there. The Assembly pledged the previous year's

¹⁹²J.A.B., 25 July 1780. C.O. 31/41; Hay to Germain, 28 November 1781. C.O. 28/35, fo. 93d; see 'The Answer of Major-General James Cuninghame to the Petition of the House of Assembly of the Island of Barbados to the King' (no date). C.O. 28/35.

¹⁹³Hay to Germain, 4 June 1778. C.O. 28/57, fo. 42d.

¹⁹⁴*Ibid.*

¹⁹⁵Governor Cuninghame to Welbore Ellis, 23 April 1782. C.O. 28/59, fo. 320d.

poll tax as security.¹⁹⁶ In Jamaica, where the government had no money, Dalling ordered the Receiver-General on 19 August 1779 to establish a subscription 'for raising...money by voluntary loans'.¹⁹⁷ Over £14,000 was collected. On Dalling's further recommendation the legislature passed an Act on the following day empowering the Receiver-General to borrow £30,000 at 6 per cent interest to pay the troops.¹⁹⁸ In Montserrat in September 1777 both Houses agreed to permit John Ravel Frye, a Member of the Assembly, to borrow £500 at 8 per cent per annum to purchase food for the poor.¹⁹⁹ Faced with a similar problem two years later, the Antigua Assembly petitioned Governor Burt to assent to a bill to issue £30,000 worth of paper money at 6 per cent interest per annum for two years, without a suspending clause.²⁰⁰ Although the bill conflicted with Burt's twenty-sixth instruction, he was prepared to assent to it as the conditions of Antigua demanded immediate action.²⁰¹ On Burt's recommendation, and the merchants' objections to the plan, however, it was discontinued. Instead, the legislature passed an Act in June 1779 for drawing bills of exchange amounting to

¹⁹⁶J.A.S.K., 1 December 1779. C.O. 241/11.

¹⁹⁷J.A.J., 19 August 1779. C.O. 140/59, p. 147.

¹⁹⁸J.A.J., 20 August 1779. *Ibid.*, pp. 148-149.

¹⁹⁹M.A.M., 25 September 1777. C.O. 177/12.

²⁰⁰Petition of the Council and Assembly of Antigua to Governor Burt, May 1779. C.O. 152/59, fo. 181.

²⁰¹Burt to Germain, 24 May 1779. *Ibid.*, fo. 178.

£20,000 sterling for two years at lawful interest, on the Lords of the Treasury, 'to be subscribed by his Excellency the General, the President of the Council and the Speaker of the Assembly'.²⁰² The money which was used to purchase provisions for the slaves was repaid by capitation taxes on all Negroes.²⁰³ In spite of the novelty of the Act, the British government accepted it.²⁰⁴

The monetary crisis in the British West Indies was further complicated by a shortage of specie resulting from the exportation of money to the foreign islands to purchase provisions, the loss of the American market for rum, the decay of the exchange trade, the decline in the amount of Portugal gold usually carried to the southern Caribbean colonies to purchase bills of exchange, and the large sums of money sent to Britain to pay debts.²⁰⁵ In Jamaica, the unparalleled scarcity of money²⁰⁶ was caused by the decline of the Spanish trade which ended the flow of bullion to that island, as well as Jamaica's imbalance of trade with Britain,

²⁰² 'Extract of the Minutes of the Council of Antigua', 9 June 1779. *Ibid.*, fos. 211-211d; Burt to Germain, 24 June 1779. *Ibid.*, fo. 208.

²⁰³ J.A.A., 20 September 1780. C.O. 9/41.

²⁰⁴ Germain to Burt, 4 October 1780. C.O. 152/60, fo. 102; Ragatz, *The Planter Class*, p. 158.

²⁰⁵ Macartney to Germain, 25 October 1778. C.O. 101/22, fos. 156-157.

²⁰⁶ Charles Stirling to Sir William Stirling, 23 April 1778. Aberghany MSS: N.R.A. (Scotland), GD 24, 1/461.

thus forcing the merchants to send large sums of money to their correspondents at home.²⁰⁷ But, 'the Total Revolution in the usual circuitous Trade of the West Indies, occasioned by the Disturbances in America', wrote Lord Macartney, was the major reason for the decline of the supply of money in the islands.²⁰⁸ To ease the shortage of money, specie was sent out from England to pay the troops in the Leeward Islands.²⁰⁹ At the end of 1780 the Treasury also ordered that the troops in Jamaica were to be subsisted in the same manner as those in America,²¹⁰ and in the following year the Parliamentary gift of £40,000 to relieve the needy sufferers of the hurricane of 1780 was sent in specie to the island.²¹¹

The American War had greatly distressed the British Caribbean Islands, and had brought immense hardships and near economic ruin to the planters. Throughout the War, there was a general scarcity of all articles in the islands, nearly approaching famine in some. There was also a general shortage of plantation utensils and machinery so necessary to the production of sugar and rum, in so much so that the value of most of the plantations declined significantly. The incessant

²⁰⁷'Jamaican Advices', 21 June 1778. Add. MSS. 12,412, fo. 6.

²⁰⁸Macartney to Germain, 25 October 1778. C.O. 101/22, fo. 157.

²⁰⁹Germain to Dalling, 5 May 1779. C.O. 137/74, fo 158.

²¹⁰Germain to Dalling, 7 December 1780. C.O. 137/78, fo. 344d.

²¹¹'Extract from the Minutes of a meeting of the Jamaican Planters, and Merchants', 8 February 1781. C.O. 137/79, fo. 121.

pleas from the Assemblies of the several islands for relief should not be dismissed as insincere attempts to extort financial or any other assistance from the British government, nor as attempts to conceal the inability of the planters to make their estates self-sufficient.

The development of the West Indian agricultural slave system had many weaknesses which had to be overcome in the years after 1776 if the planters were to produce their own food. Despite the measures adopted by the several legislatures to plan the islands' economies and to encourage the planters to grow food, they failed because it was extremely difficult to change a sugar estate suddenly to another form of agriculture. In addition, the very nature of the British West Indian slave system had restricted the planters from producing food on their estates, for the labour of a slave was as important as any other factor in the production of sugar. The planters were thus enclosed in the familiar 'vicious circle'. By using their slaves to grow their own food instead of directing their labour force to the production of those valuable staples, so necessary to their survival, the planters had changed their system of agriculture, reduced the cultivation of sugar-cane, lessened the productivity of their estates, and misused their investments in slaves, thus reducing their incomes. Consequently, many planters could neither pay their debts nor procure credit, and to a planter in debt, his inability to purchase provisions was fatal to his slaves.

The planters survived, but at an inordinate cost to themselves and the islands. Many were made insolvent because of the loss of production and the general stagnation of trade unknown in the British West Indies before the American War.

During the period of the American Revolution, the British Caribbean islands had to rely on the illegal trade between the merchants and the Americans, as well as on captured American vessels for a large part of their supplies. As early as April 1776, Vice-Admiral Young wrote that the prizes he had taken were of inestimable value to the Leeward Islands.²¹² Similarly, at the beginning of 1780, Commodore Hyde Parker, Commander-in-Chief of the Leeward Islands squadron, had performed an invaluable service to the inhabitants of Antigua and Barbados by supplying them with provisions.²¹³ But, the quantity of supplies from captured American vessels was inadequate and the source was unreliable.²¹⁴

Such were the economic conditions of the British West Indian colonies from 1776 to 1782. The planters who were accustomed to a system in which they functioned profitably saw that very system vanish before their eyes. It was therefore difficult to expect a great deal of public spirit and liberality from those who lost so much.

²¹²James Young to Philip Stephens, 7 April 1776. Adm. 1/309, fo. 458d.

²¹³Commodore Hyde Parker to Philip Stephens, 20 February 1780. Adm. 1/312, fo. 180d.

²¹⁴Edwards, *History of the West Indies*, p. 411.

Consequently, during the American War, each colony guarded very carefully its political 'rights' and some Assemblies even chose the opportunity provided by the rift in the British Empire to enlarge upon them.

CHAPTER VI

POLITICS IN JAMAICA AND BARBADOS 1774-1782

The study of the constitutional and political debate between Britain and her colonies during the latter part of the eighteenth century naturally centres on the American colonies in the Revolutionary period. Only one work attempts to look at the political aspect of West Indian history, and it views the period mainly as one of personal conflict between the Jamaica Governors and their Assemblies.¹ While such an interpretation is not entirely incorrect, there is more to the disputes than one of interpersonal relationship. The period marks a growing struggle for a shift of authority to the Assemblies, as well as the demand for the redress of some of the grievances which the Americans were attacking - the question of taxation, interference with the rights of the Assemblies, an adverse balance of trade, and the inconvenience of some sections of the Navigation Laws. The attempt by the British government to suppress all opposition in America helped to crystallise the opinions of the colonists in the British West Indies, and though there were no formal declarations in support of the American colonies, except

¹See George Metcalf, *Royal Government and Political Conflict in Jamaica 1729-1783* (London, 1965).

in Bermuda, all the colonies experienced significant internal political changes.

Because of the geographical situation of the islands, there was no united action in response to either the disputes between Britain and the continental colonies or to the outbreak of the fighting. This failure was duly noted by the Council of St. Vincent in an address to Lieutenant-Governor William Young. His repeated appeals to that House for a loyal address to the King in support of the British government's American policy were complied with belatedly; but the Council considered it

unnecessary for a colony so remote & of so little weight in the great scale of public Affairs: alone to utter Our Sentiment on such an important subject, and thought it more becoming our Situation not to lead, but wait the Example of the Old Settled Islands with which united our Address might be more worthy the Attention of his Majesty.²

The Council's address leaves little doubt that it was in favour of united action in pressing the King to end the disputes between Britain and the American colonies. Surely, it would not need the support of the colonies to send a loyal petition which would be 'worthy' of the King's attention. The waters of the Caribbean were, and have remained, the chief obstacle to West Indian political unity. Furthermore, it was left to the West India Committee, and to the islands' agents in London, to press for an end to the dispute,

²Address of the Council of St. Vincent to William Young, 2 April 1776. C.O. 101/19, fos. 152-152d.

but they did nothing until it was too late. The West Indian colonists might have also considered the dispute a temporary one to be resolved amicably when the British government abolished its claims to the right to tax the colonists, preferring to preserve their trade rather than become embroiled in the dispute. The fact is that the commercial intercourse between America and the West Indies played a significant role in political developments, and was an important factor 'in determining the attitude of' the West Indians to the Americans after 1774 when it seemed likely that their commerce would be interrupted by the disputes. There was now a greater degree of sympathy among the Caribbean and American colonists than at any other time in their long relationship,³ and it became a feature of West Indian politics during the American War.

On constitutional issues several of the 'West Indians' in England 'upheld the American thesis'.⁴ Of those who sat in Parliament during the 'sixties and early 'seventies, William Beckford who normally supported the government's economic policy opposed its attempts to force the Americans to pay for the upkeep of the British troops stationed in the colonies.⁵ Likewise,

³ Agnes M. Whitson, 'The Outlook of the Continental American Colonies on the British West Indies 1760-1775'. *Political Science Quarterly* (1930), Vol. XLV, p. 86 (hereafter cited as P.S.Q.).

⁴ Namier, *England in the Age of the American Revolution*, pp. 277-278; Whitson, 'The Outlook of the Continental American Colonies', P.S.Q., Vol. XLV, p. 86.

⁵ Sir Lewis Namier and John Brooke, *The History of Parliament: The House of Commons 1754-1790* (London, 1964), Vol. II, p. 77.

Rose Fuller who supported the Duke of Newcastle opposed the Ministry in 1774 because of its American policy which he predicted would lead to hostilities. Meanwhile, in the colonies many West Indians watched with keen interest and apprehension the attempt of the British government to subdue the Americans.⁶

Though the fundamental factor in the relationship between America and the Caribbean colonies was economic, there were also social and family ties. For example, Samuel Vaughan, an Assemblyman of Jamaica, was the son of Samuel Vaughan, a friend of George Washington. Vaughan's wife was from Boston. Philip Livingston, a merchant and Assemblyman for Portland in Jamaica, was the eldest son of Philip Livingston, a signatory of the American Declaration of Independence. The elder Livingston was married to a Jamaican. Some West Indians held lands in America, and some Americans in the West Indies. For instance, Thomas Benson of Jamaica owned properties in Philadelphia; conversely, the Middletons, the Bulls and the Colletons of South Carolina owned estates in Jamaica and Barbados.⁷ The Antigua merchant John Spear was the son of William Spear of Baltimore. John and other merchants supported and supplied the rebels during the War.⁸ There was considerable intermarrying between the children of West Indian and American

⁶*Ibid.*, pp. 479-480.

⁷Edward Brathwaite. *The Development of Creole Society in Jamaica 1770-1820* (Oxford, 1971), pp. 64-65.

⁸See Chapter III.

families, and those parents who had American leanings and background, or who could not afford to educate their children in England, sent them to colleges in Philadelphia, New Jersey and New York.⁹ Thus, given the socio-economic, cultural and family ties, it was only natural that the West Indians should have taken an interest in the political debates in America.¹⁰

The constitutional issues raised on the continent were therefore discussed in the West Indies. American supporters in Jamaica were estimated to be approximately one-third of the white population at the beginning of 1776,¹¹ and some were known to have toasted the rebels whose blood they 'extoll'd as precious drops of Record'. They, like the Americans, viewed 'Obedience to Law and Authority' of the British government as a form of 'slavery', and even drank to the 'Immortal Honours of Incountering Death in every form rather than submit to slavery. Let its Chains be ever so Gilded'. Consequently, 'the strange dislike which then grew upon them [the English and Irish who also supported John Wilkes] against [the] Ministry' wrote R. Lindsay, Rector of St. Elizabeth, 'works...like a charm to this day - for as the N. American struggles (as they say) are only against [the] Ministry, they must be on the side of Rebellion - for to be with [the] Ministry now, would

⁹Whitson, 'The Outlook of the Continental American Colonies'. *P.S.Q.*, Vol. XLV, pp. 62-65.

¹⁰Brathwaite, *Creole Society in Jamaica*, p. 67.

¹¹'Extract of a Letter from Jamaica', 10 February 1776. Clarke, ed., *Naval Documents of the American Revolution*, Vol. III, p. 1209.

look like a changing of sides'. Lindsay cited a slave rebellion in Jamaica in 1776, which was planned and executed by the house slaves, as an off-shoot of the support which the American rebels enjoyed among the white people who spoke openly on the issue in the presence of their slaves: '*Dear Liberty* has rang in the Ears of every *House-bred* slave, in one form or other, for these Ten Years past',¹² he emphasised.

MS. 3,942, fos. 260d-261. This was only the first time that the house slaves had either planned or engaged in a rebellion. In 1760, for example, they played a prominent part in crushing the uprising of that year. Sir Basil Keith, searching for reasons for this unique rebellion, believed that it occurred because of 'the particular Circumstances of the times'. No doubt he was referring to the example of the Americans. Yet, he could not understand the basis of the slaves' ideology and their desire 'to throw off the Yoke of Slavery...to make themselves Master of' Jamaica.¹³ Lindsay, of course, explains that while the white Jamaicans only spoke about rebellion, in those very terms, the blacks 'went no farther than their private reflections upon us & it, but as soon as we came to blows, we find them fast at our heels. Such has been the seeds sown in the Minds of our Domestics by our

¹²R. Lindsay to Dr. William Robertson, Principal of the University of Edinburgh, 6 August 1776. Robertson-Macdonald Papers: N.L.S. MSS. 3,942, fos. 260d-261.

¹³Sir Basil Keith to Lord Germain, 6 August 1776. C.O. 137/71, fos. 228d-229: 'Extract of a Letter from Sir Simon Clark to Benjamin Lyon', 23 July 1776. *Ibid.*, fo. 257.

Wise-Acre Patriots - And see it as it ripens'.¹⁴ Although the slaves' abortive attempt to seize the island seems to have changed the thinking of many Jamaicans about actively participating in rebellion, it will be argued in this chapter that the political crisis which occurred in Jamaica during the years 1776-1782 resulted from the pro-American ideology of a large faction of the inhabitants whose members controlled the Assembly.

The English colonies in both America and the Caribbean had a representative form of government similar to that of England. They had authority over internal taxation and other domestic affairs, with very little interference from the British government. Their commerce with foreign countries, however, was restricted by the Navigation Acts, and even though this led to a certain measure of dissatisfaction at times, both West Indians and Americans accepted Parliament's control of legislation in this area. Eighteenth century West Indian political thinking can be viewed in the writings of Edward Long and Bryan Edwards. Long, a confirmed 'Whig' disliked 'imperial dominance' of the colonies. 'He distrusted the executive power in government, and since this was under imperial control, he distrusted the imperial power itself'.¹⁵ He viewed the British government's control of the colonies from England 'as

¹⁴Lindsay to Robertson, 6 August 1776. Robertson-Macdonald Papers: N.L.S. MSS. 3,942, fo. 261.

¹⁵Elsa V. Goveia, *A Study on the Historiography of the British West Indies to the end of the Nineteenth Century* (Mexico, 1956), p. 56.

virtually impossible', and therefore he readily defended the Jamaica Assembly 'against the charge of chronic faction in its proceedings' on the grounds that it had rights, and the duty to defend them vigilantly at all times'.¹⁶

Adopting Locke's political philosophy, Long further maintained that it was the duty of the Assembly to safeguard the peoples' rights 'which it held in trust'.¹⁷ On the status of the colonies, Long contended that the sovereign did not have sole authority over them, since this would have relegated the colonists to the status of Aliens', forcing them to forfeit 'all the Rights of Englishmen', which would have seriously retarded the colonisation of foreign lands. That this did not happen, Long sees as a significant feature of British colonial policy, and thus assured every Englishman at home or in the colonies

A *Dominum Utile* in it for the benefit of themselves, and of that nation to which they belong: their Rights are unalienable whilst they continue in obedience to the *national* Laws; they cannot be subjected to Laws repugnant to those of England and consequently are no more liable to be governed by the *Will* of the *King* than if they had remained in England. They may not enact Laws or Ordinances injurious to the national welfare. But the national Senate is reciprocally bound to Impose nothing on the colonists injurious to those rights, properties & Immunities which they inherit with their Fellow Subjects in the mother state.¹⁸

¹⁶*Ibid.*, pp. 56-57.

¹⁷*Ibid.*, p. 57.

¹⁸Edward Long, 'On the Constitution and Government of Jamaica' (1774). Add. MSS. 12,402, fos. 1-2.

Long's criticisms were not only directed against the crown, but he also insisted that Parliament did not have unlimited authority over the colonies, and therefore it could enact no legislation which adversely affected the colonists' rights which they shared equally with their 'Fellow Subjects' in Britain. Long was undoubtedly proud of the English constitution which had given Englishmen at home and abroad 'an honest pride of birthright'. Any attempt, therefore, to restrict this right was to degrade the national character and thus destroy every Englishman's belief in his 'superiority over the subjects of foreign states'. Consequently, those who emigrated to the colonies 'like Bees from their hive to labour' for the general good of the British Empire were thus 'entitled to the full enjoyment of English franchises, and more particularly by this sequestered industry, they become in time the most solid props of the liberty, property and happiness enjoyed by their Countrymen at home'.¹⁹

Bryan Edwards' *History of the West Indies* published about twenty years after Long's work conveys much of pre-Revolutionary West Indian political thinking and much of his argument on the relationship between Crown and Parliament, and the local legislatures also comes from pre-Revolutionary Jamaican documents.²⁰

¹⁹ Long, 'Of Government and Constitution' (no date). Add. MSS. 12,404, fo. 7.

²⁰ Edwards, *History of the West Indies*, Vol. II, pp. 348-349; see Goveia, *Historiography of the British West Indies*, p. 83.

Edwards' opinions on the constitutional authority of Parliament over the colonies were also in keeping with American writers such as John Dickinson in his *Essay on the Constitutional Powers of Britain over the Colonies in America* published in 1774, and were no doubt common among many Jamaican planters. Like Long, Edwards contended that the colonists had retained the same liberties, privileges and immunities as those enjoyed by their fellow subjects in Britain, and therefore were only bound by those laws which applied to everyone in the Kingdom. Moreover, the establishment of Assemblies in the colonies gave the people control of their internal affairs,²¹ and Parliament by reserving 'the Superintending and controlling power in all commercial matters' had implied that it would not 'interfere in matters to which the colonial assemblies' were sufficiently competent.²² The colonial Assemblies were therefore subject only to the King. They owed 'no allegiance to the Lords and commons; to whom they are not subjects, but "fellow" subjects with them to the same sovereign'.

Parliament therefore could not exercise any authority over the colonists without their permission, and instead of being 'subordinate', the colonial legislatures were 'co-ordinate with' that of Britain. Their forms of civil government were identical 'almost as nearly as the condition of a dependent colony can be

²¹ Edwards, *History of West Indies*, Vol. II, pp. 341-345.

²² *Ibid.*, p. 349.

brought to resemble that of its mother country which is a great independent empire'. Most of the colonies had their own courts of chancery, courts of ordinary, courts of vice-admiralty, courts of quarter session, vestries, and during martial law, military courts.²³ Edwards and Long had stopped short of claiming independent status for the colonial legislatures, but implied that they had an early form of responsible government. In essence, both writers contended that the privileges enjoyed by the Assemblies were not delegated by the Crown, but were derived from the people, and must therefore be maintained inviolably to protect them from an arbitrary power, whether Crown or Parliament.²⁴

These constitutional claims did not originate with the disputes in America, but were well-known throughout the islands. The Assembly of Jamaica which virtually sided with the Americans in a 'Petition and Memorial' to the King in December 1774 was only restating its earlier position in the 'Oliphant Case', 1764 to 1766. In December 1764 Richard Wilson, a provost officer, served a writ of *venditore exponas* on the coach-horses of John Oliphant, an Assemblyman, on account of Pierce Cook who had obtained a favourable judgement against Oliphant. Cook was encouraged in his action by Lachan McNeil, a deputy Marshal. Wilson, Cook and McNeil were arrested for seizing Oliphant's property,

²³ *Ibid.*, pp. 360-361.

²⁴ Sir George Cornwall Lewis *An Essay on the Government of Dependencies*, ed., Sir Charles Lucas (Oxford, 1891), pp. 301-303; see Goveia, *Historiography of the British West Indies*, p. 83.

but instead of applying to the House for their release in the customary manner, the three men petitioned Governor Lyttleton, as Chancellor, for writs of habeas corpus. Of the choices facing Lyttleton, he decided to prorogue the House for a day, during which time he issued the writs for freeing the men.²⁵

When the Assembly met on the following day, Wilson, Cook and McNeil were again arrested. Edward Bolt, the Messenger, was served with a writ of habeas corpus signed by Lyttleton. On 21 December Cook and McNeil were taken before the Governor in the Court of Chancery where he freed them. The House immediately arrested the men again, and refusing to do any business until reparations were made, they accused Lyttleton of a breach of privilege. The Governor immediately dissolved the Assembly; but when a new one met, it drew up an address to the King which was published in the local newspapers. The struggle was therefore carried from inside the House to the Crown and the people, with the Assembly claiming the right of freedom from arrest for its members and their properties, as well as the right to commit its own members and others. The case was bitterly contested for another year and a half, resulting in Lyttleton's recall and thus the recognition of the Assembly's position.²⁶

²⁵Metcalf, *Royal Government*, pp. 160-162; Mary Patterson Clarke, *Parliamentary Privilege in the America Colonies* (New Haven, 1943), pp. 252-254.

²⁶Edwards, *History of the West Indies*, pp. 348-355; see petition to Elleston in the note; Lawrence H. Gipson, *The Coming of the Revolution 1763-1775* (London, 1964), pp. 158-159; Clarke, *Parliamentary Privilege*, pp. 255-258.

After Lieutenant-Governor Roger Hope Elleston took office in June 1766, the Assembly re-opened the debate over the release of Cook and McNeil. In a petition to Elleston, the House asked him to expunge Lyttleton's decision from the Court of Chancery records. The Council agreed with the Assembly's demand, and the Lieutenant-Governor 'pronounced Lyttleton's decision unconstitutional, declared it annulled and made void, and erased it from the records'.²⁷ Of particular interest here is the petition sent by the Assembly to Elleston. It predated its own 'Petition and Memorial' of 1774, as well as the American 'Declaration of Rights' of the same year, but contains many of the claims of the latter documents.²⁸

In 1774, as in 1766, the Jamaican Assembly declared that it was unconstitutional for Parliament to legislate for the colonies except in areas of mutual benefit; that their rights were constantly guaranteed by the Crown and 'therefore the people of England had no right, power, or privilege to give to the emigrants', which they had not possessed before leaving England. It stated that while it had previously received the Navigation Acts for regulating the colony's trade, it had never given Parliament the right to enact such laws, but only accepted them as they were beneficial to both areas. It observed

²⁷Metcalf, *Royal Government*, pp. 167-168;

²⁸Edwards, *History of the West Indies*, pp. 348-355 (note); 'The Petition and Memorial of the Assembly of Jamaica to the King, 23 December 1774. C.O. 140/46, pp. 569-570; Ford, ed., *Journals of Congress*, Vol. I, pp. 67-70.

however that Parliament was now attempting to exercise an unrestrained power over the colonies, aimed at reducing them to 'an abject state of slavery'. Consequently, 'the most essential rights of the colonists have been invaded, and their property given and granted to his Majesty, by men not entitled to such a power'. Having reiterated its claim that the people were not bound by any other laws than those to which their Assembly had assented, and passed by his Majesty, the petitioners demanded a guarantee 'that no laws shall be made, and attempted to be forced upon them, injurious to their rights as colonists, Englishmen, or Britons'.²⁹

Jamaica was not the only island to pass pro-American addresses. The Grenada, Tobago and Barbados Assemblies passed them, and Bermuda and the Bahamas overtly supported the American Rebellion. The group in the Assembly which pushed through the petition might have formed the nucleus of the same one which was in opposition to Britain, and was also responsible for distributing copies of Thomas Paine's *Common Sense* throughout Jamaica,³⁰ and voted down a motion that the Assembly 'will not receive any letters from any of the assemblies or congresses in North America during the present disturbances'.³¹ It was also likely that this group formed the core of a 'party' whose goal was

²⁹ 'Petition and Memorial of the Assembly of Jamaica to the King' 23 December 1774. C.O. 140/46, pp. 569-570, adopted by a vote of 16 to 9.

³⁰ Keith to Germain, 27 March 1776. C.O. 137/71, fos. 98-98d.

³¹ J.A.J., 2 November 1775. C.O. 140/46, p. 576.

independence from Britain, and continued to exist until 1811, and probably after that year.³² But if the constitutional and political ideology of the Jamaicans paralleled that of the American colonists, there was a marked difference in the degree to which they were prepared to go to achieve their goal.

The West Indian colonists, like the Americans, were divided into two distinct political groups. Those who supported the Americans formed a majority in the Assemblies, were labelled 'rebels', 'Gallo-Americans', and even denounced as 'traitors'. Moreover, every West Indian Assembly was actively engaged in openly opposing and criticising their Governors who, likewise, were quick to return the criticism. This mutual enmity continued in most islands from 1775 to 1782. The autocratic attitude of a few officials gave rise to some opposition, but the American War was chiefly responsible for increasing West Indian opposition to Imperial authority. Though there were unrestrained professions of loyalty to the Crown, the Governors bore the brunt of the colonists' anger, and the Governors were repeatedly accused of violating those rights which the Assemblies tenaciously fought to maintain, and enlarge upon whenever possible.

Before we can understand the importance of these political crises and the constitutional gains emanating from them, it is necessary to outline the executive

³²Edward Morrison to the Earl to Liverpool, 19 September 1811. C.O. 187/131.

jurisdiction of a British West Indian Governor - one which encompassed the entire area of the island's political, economic and judicial life. He could summon, prorogue, and dissolve the Assembly by proclamation. He could refuse to assent to bills with which he did not agree. He had a certain amount of patronage, and as he was allowed to suspend patentees until the Crown's pleasure was known; at times he could remove troublesome officers, and replace them with his own supporters. The Governor also had absolute control of the militia, and could dismiss its officers without any interference from the Crown or the Council and Assembly. He could issue public money by warrant without the consent of the Assembly, proclaim martial law on the advice of a Council of War, call out the militia, and command the lives and properties of the inhabitants. Some Governors misused these powers; others obstructed legislation for trivial reasons, adhering to too strict an interpretation of their instructions, and thereby intensified the discord.

The first area of the prerogative to be attacked was defence, including the Governor's control over the forts, other public works, martial law and the militia. In 1769 the Assembly of Jamaica in agreement with the Governor and Council formed one centralised body called the Commissioners for Forts, Fortifications, and Public Buildings. The Commissioners of Fortifications Act of 1778 then named the entire House and Council to join the Governor as members of that Board. But as the Assembly

had a majority of members, it controlled every important decision regarding the maintenance and extension of all public works in Jamaica, and the Governor's authority was reduced to that of making recommendations.³³ It does not appear, however, that the administration of the works had improved, and like most government bureaucracies of the period, this one was hopelessly inefficient. In June 1778, for example, Dalling complained that the island's defences were neglected, and that the Assembly had refused to vote money to continue work which it had begun in the previous year.³⁴ It was not until he had warned the House that a French attack was imminent, and it was necessary to complete several defence projects³⁵ that the House voted £2,000, but this was grossly inadequate, and to meet the cost of the work Dalling drew his bills on the Treasury.³⁶

The Assembly's failure to raise a sufficient amount of money brought no immediate rebuke from Dalling who was experiencing some of the distresses of the War, and he was even ready to defend the Assembly's stand. In 1778 alone the House had voted over £71,000 for the island's defence, excluding its pay for the troops. To

³³F.G. Spurdle, *Early West Indian Government: Showing the Progress of Government in Barbados, Jamaica and the Leeward Islands 1660-1783* (Palmerston North, New Zealand), pp. 140, 153.

³⁴Address of the Assembly of Jamaica to Governor Dalling in J.A.J. 13 June 1778. C.O. 140/59, p. 68; J.A.J., 15 June 1778. *Ibid.*, p. 70; Dalling to Germain, 19 June 1778. *Ibid.*, fo. 159d.

³⁵Copy of Dalling's Message to the Assembly of Jamaica (no date). C.O. 137/74, fos. 99-100.

³⁶Dalling to Germain, 20 December 1778. *Ibid.*, fos. 97-97d.

do this, the House was forced to reduce its spending on roads and other public works, to double the deficiency tax, and to increase the poll tax five and half times - 5s.6d. on slaves and 4½d. on cattle. Because of the adverse economic effect of the War on Jamaica's economy Dalling warned Germain early in 1779 that unless the British government assumed more of the cost of the island's defence, unrest among the inhabitants would increase. He further pointed out that some were complaining that the British government had abandoned the island; others were protesting that since the Jamaican government could not pay its entire defence cost, the colonists should join the Americans, thus exempting them from capture by the French. Such public expressions were particularly worrying to Dalling who now recommended that steps should be taken

to prevent, if possible, the disappointment than leave Great Britain to risk the Consequences - Colonies, like the individuals that compose them and like mankind in general will be... governed by their Interests. They may be ranked among those of the great politicians who neither love nor hate; but are influenced in their attachments by their hopes and fears alone.³⁷

In spite of Dalling's favourable opinion of the Assembly, the economic condition of Jamaica not only enabled the House to wrest from the Crown the control of all public works, and the disposal of public money; but

³⁷Dalling to Germain, 12 January 1779. *Ibid.*, fos. 115d-118. Similar calls for the West Indian governments to join the Americans were made in almost all the colonies; see West India Planter to West Indian Planters and Merchants, 16 September 1778. C.O. 101/22, fo. 128.

the War also enabled it to wrest from the Governor his authority over the militia, and the declaration of martial law. The functioning of the colonial system allowed an unscrupulous executive to paralyse legitimate legislative and commercial business by declaring martial law and calling out the militia on the flimsiest sign of any danger. Consequently, the Jamaica Assembly sought to make the military subject to the civil power. One of the charges the Americans brought against the King in the 'Declaration of Independence' was that he rendered 'the Military Independent of and superior to the Civil Power'.³⁸

To declare martial law and to call out the militia, the Governor was required by his instruction to summon a meeting of his Council of War which consisted of himself, the members of the Council, and field officers of the militia, at which he always received permission to raise the King's standard. During this time he had the power to command the services of all the colonists, except those exempt from duty by law, the young, the old and infirm, for their horses and cattle, to pull down houses, to fell trees for lumber, to command all merchant ships and their crews; and to act with full authority in any other field which he and the Council considered necessary.³⁹ But the Governor

³⁸ Howard Preston, *Documents Illustrative of American History* (New York, 1886), p. 213.

³⁹ Memorial of Stephen Fuller to Lord Germain, 24 December 1778. C.O. 137/73, fo. 252d; J. Knight, 'History of Jamaica' (no date), Vol. II. Add. MSS. 12,419, fos. 115d-116.

had his own problems. The military calibre of the militiamen in most of the islands was poor. The white population was small, and the laws could hardly be used to enforce discipline among men who were unwilling to fight. Consequently, martial law was used to assemble and drill the militia.

In previous wars, there was little opposition to martial law, except that it was generally believed to cause hardships among the poor, and to offer a respite to debtors by curtailing all legitimate commercial and legal business.⁴⁰ During the American War, however, the colonists objected to military service because the loss of even one day's work might mean the ruin of their crops.⁴¹ One historian writes that because the estates were heavily capitalised, the planters preferred to remain at home, and to surrender to the French in return for assurances that they would keep their property.⁴² This might have been the case in the ceded islands, St. Kitts, Nevis and Montserrat; but there is no evidence that the planters in Barbados, Antigua and Jamaica would have made a deal with the French. It is more likely that they would have done one with the Americans. Nevertheless, because the West Indians watched with concern the British government's attempt to restrict civil liberties in America, they refused to serve in the militia on political grounds, and

⁴⁰Pares, *War and Trade*, pp. 234-237.

⁴¹Memorial of Stephen Fuller to Germain, 24 December 1778. C.O. 137/73, fos. 250-250d.

⁴²Mackesy, *The War for America*, p. 227.

the Assemblies took the first opportunity to prevent any curtailment of individual freedom.

Hence, when Dalling declared martial law early in September 1778 after the capture of two British frigates, the *Active* and the *Minerva*,⁴³ James Pinnock recorded in his diary - 'Martial law proclaimed, nobody knows any good reason for it'.⁴⁴ Dalling certainly had enough evidence to fear an attack on Jamaica after the loss of the vessels. During this time he continued the public works left unfinished by the Assembly's refusal to raise any money, and he called out the militia to assess its strength, and to train the men as was customary. This immediately led to a dispute with the lower House. Dalling was astonished to find that he had lost the cooperation of the Assemblymen who were influenced by 'a variety of views according to the[ir] different political Principles' The Kingston group for example, denied that the Governor could declare martial law by proclamation rather than an Act of the legislature, and vowed to wrest that power from him. By a vote of fifteen to thirteen late in October the Assembly passed a message asking Dalling to remove martial law before it ruined the island's economy; but he refused, hoping that a larger House would reverse this decision. On the following day, however, the Assembly

⁴³Ruddach to Steuart, 21 October 1778. Charles Steuart Papers: N.L.S. MSS. 5,031, fo. 87; Dalling to Germain, 21 November 1778. C.O. 137/74, fos. 90-90d.

⁴⁴James Pinnock, 'Diary, 1758-1794', 4 September 1778. Add. MSS. 33,316, fo. 8d.

persisted with its demand by a vote of twenty-nine to two, and threatened not to raise any money for his salary. The Council thus advised him to concur with the wishes of the House, and avoid any further dispute. Pinnock again recorded in his diary: 'Martial Law taken off.... The Governor damnably disgruntled....'⁴⁶

Just under a year later, without meeting with the Council of War, Dalling raised the King's standard on 7 August when reports he had received indicated that a French squadron under Comte D'Estaing had arrived at Saint Dominique, and was preparing for an attack on Jamaica.⁴⁷ While Dalling had broken with precedent, it is only fair to understand some of the problems with which a British West Indian Governor had to contend. The squadrons on the Leeward Islands and Jamaican station were stretched to their limits. The Assemblies refused to make any effective preparations for the troops,⁴⁸ or to provide new defences even though the French had a superior naval force in the Caribbean for the greater part of the War after 1778, and American privateers had the capacity to raid the coasts, bringing distress to many planters. Dalling immediately summoned the militia to Kingston, and ordered the planters to furnish slaves

⁴⁵Dalling to Germain, 21 November 1778. C.O. 137/74, fos. 90d-92d; Metcalf, *Royal Government*, p. 207.

⁴⁶Pinnock, 'Diary', 1 November 1778. Add. MSS. 33,316, fo. 8d; Metcalf, *Royal Government*, pp. 207-208.

⁴⁷'Intelligence by the Advice Boat', July 1779. C.O. 137/75, fos. 145-147.

⁴⁸Ragatz, *The Planter Class*, pp. 144-145.

for completing the defences. Two days later, he lowered the King's standard, and legally declared martial law after holding a meeting of the Council of War. The Governor now purchased and stored a quantity of salt provisions, to pay for which he drew his bills on the British Treasury. Later that month he began the completion of all works not finished during the last martial law.⁴⁹ The reaction to Dalling's conduct was mixed. The Council concurred with him.⁵⁰ On the other hand, while praising his decision to return to the legal and constitutional method of proclaiming martial law, the Assembly voiced its fears of his power to declare arbitrarily a measure so 'dangerous to the liberties of the people'.⁵¹

The congregation of the militia numbering about five thousand men brought several problems for Dalling. In accordance with a resolution of the Assembly, he allowed Negro servants to the troopers and infantrymen, and one ration of food to every servant. The House immediately passed a new resolution depriving the Negroes of their rations.⁵² Furthermore, apart from their daily supplies, the Assembly refused to make any other allowances for the militiamen, most of whom had to use

⁴⁹Dalling to Germain, 6,9,10 August 1779. C.O. 137/75, fos. 148-150.

⁵⁰Address of the Council of Jamaica to Governor Dalling, 18 August 1779. *Ibid.*, fos. 190-190d.

⁵¹Address of the Assembly to Governor Dalling, 18 August 1779. C.O. 140/59, p. 147; Address of the Assembly to Dalling, 19 August 1779. C.O. 137/75, fo. 190d.

⁵²J.A.J., 10 September 1779. C.O. 140/59, pp. 158-159.

their own money and even pawn their belongings to pay their expenses.⁵³ This led to 'discontents and violences, not short of mutiny' among certain divisions of the militia.⁵⁴ The House, while acknowledging that its policy had led to the 'discontents', emphasised that it was unable to feed 'an Asiatic train of unnecessary attendants....'⁵⁵ But this dispute brought the Assembly one step nearer to its goal of control over the declaration and duration of martial law. 'It now passed a bill 'for subsisting the militia in time of martial law, and for accommodating them, and also his Majesty's regular forces..., while on march'.⁵⁶ Dalling's hands were thus tied, and as it was essential to get supplies for the troops, he assented to the bill.

Dalling's first year as Governor had gone exceedingly well, so it was surprising to him when the Assembly adopted a hard-line policy on the issue of the declaration of martial law, and the calling out of the militia. From that time onwards, his honeymoon with the Assembly was over, and he was virtually bombarded on all fronts by the opposition.⁵⁷ His remaining years from late 1778 to November 1781 were unhappy ones as he fought to uphold the prerogative of the Crown, as he understood it. In the middle of December 1778 the

⁵³Dalling to Germain, 3 September 1779. C.O. 137/75, fos. 164d-165.

⁵⁴J.A.J., 10 September 1779. C.O. 140/59, p. 159.

⁵⁵J.A.J., 12 September 1779. *Ibid.*, p. 162.

⁵⁶J.A.J., 18 September 1779. *Ibid.*, p. 169.

⁵⁷Metcalf, *Royal Government*, pp. 201-202.

Assembly passed two militia bills which Dalling rejected as they were based on 'republican principles'. By their provisions, the Assembly would have virtually gained control of the militia. The Governor was allowed to declare martial law in emergencies; but had to convene the House within fourteen days in order to continue it. Furthermore, the important Articles of War were deliberately left vague, and the penalties for non-attendance for military service were the same as during peace.⁵⁸

Instead of tacking the rejected ones to money bills as was customary, the Assembly passed a new bill constituting itself the Council of War.⁵⁹ By its provisions, the Governor had no control over the militia during martial law. As the *sine qua non* of his assent, Dalling insisted on the inclusion of penal articles. To placate him, the Assembly included a rider which was to be in force for one year only, though the bill itself was perpetual. On the Council's advice, Dalling assented to the measure, but recommended its disallowance by the Board of Trade,⁶⁰ which was done.⁶¹ The infuriated Jamaica Assembly immediately despatched an address to the King:

We cannot but deplore the Rejection of this

⁵⁸Dalling to Germain, 12 January 1779. C.O. 137/74, fos. 110d-111, 115; Metcalf, *Royal Government*, p. 208.

⁵⁹Spurdle, *Early West Indian Government*, p. 60.

⁶⁰Dalling to Germain, 12 January 1779. C.O. 137/74, fos. 112d-113.

⁶¹Germain to Dalling, 5 May 1779. *Ibid.*, fo. 157.

Act, as your majesty's faithful people... had recently felt the effects of the unconstitutional power exercised by that board; and could not but with horror look forward, to what extent it might be carried under its present constitution, which... has, from various circumstances, in a length of time, been greatly altered from its original institution: With the confidence of a people greatly aggrieved, we look up to your Majesty as the father of your country, for relief.⁶²

Determined to gain total control of internal security, the House passed a new bill in December 1779 for 'ascertaining who shall compose future Councils of War, and for subsisting the militia, in time of martial law, and for other purposes respecting the said militia....'⁶³ The bill incorporated parts of the previous ones, and deprived most of the old members of the Council of War of their seats. The new Council comprised of the Commander-in-Chief, the members of the Council, and the whole Assembly. The Council favoured the bill's rejection; but Dalling, fearing that this would lead to increased political unrest, passed it, thus giving the Assembly control of the militia and the declaration of martial law.⁶⁴

The gains of the Jamaica Assembly were not restricted only to the areas of taxation, or to the control of the militia. Its most notable political

⁶²Address of the Assembly of Jamaica for the King, in J.A.J., 11 November 1779. C.O. 140/59, p. 189.

⁶³J.A.J., 23 December 1779.

⁶⁴Dalling to Germain, 10 December 1779. C.O. 137/76, fo. 196d; Brathwaite, *Creole Society*, p. 12; Spurdle, *Early West Indian Government*, p. 60; Metcalf, *Royal Government*, p. 208.

battle and constitutional achievement of the period was in the judicial field. One of the complaints of the American and West Indian colonists was that the King had 'made Judges dependent on his Will alone, for the tenure of their offices....'⁶⁵ The judges in the colonies held their offices *durante bene placito*, and not *quamdiu se bene gesserint* as in England. As early as 1751 the Jamaica legislature passed an Act creating an independent judiciary, but as it was a novel idea at the time, it was disallowed. A similar bill which Dalling sent to England, as he could not assent to it without special permission, was passed by both Houses in 1778.⁶⁶ When therefore the Assembly passed another bill the following November, the Governor refused his assent.⁶⁷

No decision on the bill's future was received in Jamaica when the capture of San Fernando de Omoa in October 1779 by a joint naval and military force, commanded by Commodore John Luttrell and Captain William Dalrymple, with the help of some Indians and Baymen, led to the seizure of two 'Register Ships', and a quantity of valuable merchandise from the fort.⁶⁸ This rich capture brought problems for Dalling. Dalrymple and

⁶⁵Preston, *Documents*, p. 213; Ford, ed., *Journals of Congress*; Vol. I, p. 64.

⁶⁶Long, 'History of Jamaica', Add. MSS. 12,404, fo. 75; J.A.J., 12 November 1778. C.O. 140/59, p. 91.

⁶⁷Dalling to the Council and Assembly, in Dalling to Germain, 21 January 1780. C.O. 137/76, fo. 206; Metcalf discusses this question in his work. See pp. 210-215.

⁶⁸William Dalrymple to John Dalling, 28 October 1779. C.O. 137/76, fos. 58-65.

Luttrell reached a private understanding for the distribution of the booty, depriving the Indians and Baymen of most of their share.⁶⁹ Part of the prize was then libelled in the Vice-Admiralty Court in Jamaica by Thomas Harrison, as prize to the commanders of the *Charon*, *Lowestaffe*, and *Pomona*, in accordance with the King's proclamation of 25 June 1779, ordering reprisals against the subjects of the Spanish King, and awarding the booty to the captors.

However, Harrison was placed in a difficult position in regard to the prosecution of the prize. He supported the claim of Admiral Sir Peter Parker, Commander-in-Chief of the Jamaica squadron, to a share of the proceeds, but only if the ships were captured by Captain Luttrell's orders; Dalling's claim to a share, as Commander-in-Chief of the military forces employed in the Nicaragua expedition, was less clear,⁷⁰ since the booty belonged to the Crown if captured by an order of Captain Dalrymple. Harrison also had no objection to the removal of the 'Register Ships' to England to be libelled in the Court of Admiralty, as no preference could be shown to any one. Some lawyers in England, including Lord Mansfield, the Attorney and Solicitor-Generals, concurred with Harrison's opinion that Dalling had no claim, but believed that the booty was not subject to the King's proclamation of 1779, and should therefore

⁶⁹Mackesy, *The War for America*, p. 335.

⁷⁰J.A.J., 15 December 1780. C.O. 140/59, pp. 292, 306.

be condemned as 'Droits of the Crown'.⁷¹

The enmity and distrust which had developed between Dalling and Harrison over a period of time were now brought to the open. Their mutual dislike stemmed from their differing ideological positions on the American War. Harrison, in two opinions, had prevented Dalling from taking any action against American supporters. Metcalf cites Harrison's cooperation with the Governor's 'enemies in the House' as the reason for the mutual hatred.⁷² Harrison was also considered by Vice-Admiral Gayton whom he refused to represent in court to be an American supporter. On the other hand, Harrison felt that some of the reasons for his disagreement with Dalling arose from his opposition to the Governor's claims to shares of the prizes captured by non-commissioned vessels, and his advice to Dalling not to quarrel with the Assembly over the declaration of martial law.⁷³

The problems raised by the Omoa capture were further complicated when James Bartlet, who had gone to Jamaica to represent the Baymen, sent an affidavit to Harrison requesting him to prevent the 'Register Ships' and their cargoes from being sent to England and to libel them in the Court of Exchequer.⁷⁴ Harrison was

⁷¹*Ibid.*, pp. 307-308.

⁷²Metcalf *Royal Government*, p. 211.

⁷³Thomas Harrison to Lord Germain, 10 February 1780. C.O. 137/76, fos. 252-252d.

⁷⁴James Bartlet to Thomas Harrison, 22 January 1780. *Ibid.*, fo. 154.

surprised by the request. The case was outside the jurisdiction of that Court, since only the Court of Admiralty in England or a Vice-Admiralty Court in the colonies was entitled to hear cases involving the transfer of property from the subjects of one Crown to those of another.⁷⁵ But Harrison who believed rumours that Dalling was sympathetic to Bartlet's request and that the Governor had sought the advice of two other lawyers on the condemnation of the 'Register Ships' refused to give him an opinion on the removal of the vessels, pointing out instead that if he were suspended Dalling would be free to follow the advice of others. Harrison then resigned as Attorney-General because Dalling's accusations of 'Drunkyard, lyer, impertinent' had destroyed the confidential relationship that was needed between a Governor and his Attorney-General.⁷⁶

Not wishing to prolong the dispute, after realising that he was creating an unfavourable public opinion, Dalling persuaded a mutual friend George Ricketts to write to Harrison suggesting that he could resume his duties as Attorney-General, if he would let the dispute 'sink in oblivion'. However, if he did not withdraw his resignation, Dalling threatened to relieve him of both commissions. Harrison agreed; but before the issue could be settled amicably, Dalling reneged on his promise and asked Harrison to resign one of his

⁷⁵Harrison to Germain, 28 January 1780. *Ibid.*, fo. 148.

⁷⁶Thomas Harrison to Governor Dalling, 22 January 1780. *Ibid.*, fo 160; Metcalf, *Royal Government*, p. 212.

commissions. Harrison refused, and was suspended as Advocate-General.⁷⁷ Harrison immediately forwarded his case to Lord Germain and to the Lords of the Admiralty. But as he had voluntarily resigned as Attorney-General, and since the appointment of Robert Sewell, son of the Master of the Rolls, was already confirmed, he could not be reinstated. The Lords of the Treasury disapproved of Harrison's dismissal as Advocate-General, without proper reasons, and ordered Dalling to return his commission to him immediately.⁷⁸

Dalling ignored his instruction,⁷⁹ and Harrison appealed to Philip Stephens, Secretary of the Admiralty,⁸⁰ and to Lord Germain.⁸¹ Then he applied to John Brownrigg, Judge-Surrogate of the Court of Vice-Admiralty, for redress. His application for a judicial ruling was made because he believed that Dalling, by refusing to obey his orders, was interfering in the internal affairs of the Vice-Admiralty Court.⁸² But Brownrigg refused the appeal

⁷⁷Harrison to Dalling, 28 January 1780, fos. 149d-150.

⁷⁸Lord Germain to Thomas Harrison, 5 April 1780. C.O. 137/77, fos. 47-47d; Philip Stephens to Thomas Harrison, in J.A.J., 15 December 1780. C.O. 140/59, p. 310; Metcalf, *Royal Government*, p. 212.

⁷⁹Edward Barry to Thomas Harrison, 25 May 1780. C.O. 137/77, fo. 213d.

⁸⁰Thomas Harrison to Philip Stephens, 1 June 1780. *Ibid.*, fos. 211-211d.

⁸¹Harrison to Germain, 2 June 1780. *Ibid.*, fos. 209-210.

⁸²'*In cur vice admitis*', in J.A.J., 15 December 1780. C.O. 140/59, pp. 310-311.

as he had no instructions from London.⁸³ However, it is more likely that the Judge-Surrogate did not want to establish a dangerous precedent. Harrison now lost no time in appealing to the Supreme Court for a writ of mandamus to Brownrigg to reinstate him, and for an injunction against the 'use and privileges' of the office of Advocate-General by any one but himself.⁸⁴ Harrison's appeal to the Supreme Court was politically motivated, and thus raised certain constitutional questions. Was the Court asked to deal with a matter which was outside of its jurisdiction? Should not the writ of mandamus have been directed to Governor Dalling? He was head of the executive branch with the power to suspend and appoint officers, until the King's pleasure was known. Brownrigg had no such authority. However, Dalling made serious mistakes. Before the writ could be served, the Governor, believing that Judges James Trower, Lewis Burwell Martin, John Grant, and William Elphinstone, Members of the Assembly, had made up their minds in Harrison's favour in advance, in so much so that they were called 'the Mandamus Judges', excluded their names from a new commission he had issued for appointing a chief justice and his assistants.⁸⁵

⁸³ 'At the Court of Vice Admiralty', 12 June 1780. C.O. 137/77, fo. 216.

⁸⁴ 'Harrison's Protest - *In cur vice admitis*', 2 June 1780, in J.A.J., 15 December 1780. C.O. 140/59, p. 311; Dalling to Germain, 25 June 1780. C.O. 137/78, fo. 73d.

⁸⁵ 'In Supreme Court', 16 June 1780. *Ibid.*, fo. 88d; Dalling to Germain, 25 June 1780. *Ibid.*, fos. 73d-74; Metcalf, *Royal Government*, pp. 213-214.

The displaced judges now petitioned the King for the protection of the colony from a despotic Governor; for the courts to be made independent of the Governor, thereby preventing any further interference 'from disquieting the minds, and angering the rights of your dutiful people of Jamaica'.⁸⁶ The petition was full of political connotations, but nevertheless, the four judges were reinstated.⁸⁷ Dalling's position in this controversy goes beyond the 'arbitrary' use of power. He, like other West Indian Governors, was obsessed with his pledge to uphold the prerogatives of the Crown at all cost. 'If the removal of the Judges is necessary to preserve the Royal Prerogative from Injury', he emphasised.

I would be ashamed to hesitate to remove them. If it is the King's prerogative to chuse by what hands his Executive Powers should be exerted, all opposition to that choice is injury. If, as they are, all civil officers in this Island, holding office during the pleasure of the Crown, are suspendible by the Governor 'till the King's pleasure be known, & the sufficiency of insufficiency of his inducements is ascertained by his Majesty's sense of it and by no other, any attempt to interrupt the exercise of that power is an attempt to abridge the prerogative.'⁸⁸

The dismissal of the judges or any other patentee including Harrison as Advocate-General, was within the bounds of the Governor's instructions, but had to be

⁸⁶The Petition of Messrs. Trower, Martin, Grant and Elphinstone to the King, 12 June 1780. *Ibid.*, fo. 123.

⁸⁷Germain to Dalling, 4 April 1781. C.O. 137/80, fo. 13; Germain to Messrs. Trower *et al.*, 4 April 1781, *Ibid.*, fos. 15-15d.

⁸⁸Governor Dalling to the Board of Trade, 17 February 1781. C.O. 137/39, fo. 160.

confirmed by the Crown. In fact, Dalling had done no worse than any of his contemporaries. His chief obstacle was the Assembly which saw its opportunity to make political gains from the incident, and it fully exploited the situation. The Governor was not flawless either. In refusing to reinstate Harrison, he had challenged the authority of the Crown, for which there was no excuse. Dalling lost this constitutional struggle precisely because the Imperial government wished to make concessions to the West Indians in this time of crisis. No wonder Dalling believed that he was victimised by the British Ministers, thus withering away any form of the authority previous Governors had possessed.⁸⁹

On 24 November 1780, the Jamaican Assembly appointed a committee to inquire into the workings of the courts and the dismissal of the four judges.⁹⁰ The committee's report stated that the Governor's power to remove judges had been improperly used, and if allowed to continue in its present form would degrade the office of judge and would make the courts subservient to the will and pleasure of a Governor. It therefore recommended that a committee of five Assemblymen should be appointed to prepare a bill to make the judges hold

⁸⁹Dalling to Germain, 5 December 1780. C.O. 137/38, fo. 190.

⁹⁰J.A.J., 15 December 1780. C.O. 140/59, pp. 284-285.

their offices *quomdiu se bene gesserint*.⁹¹ Early the following January, the House passed the Judges Bill,⁹² but the Council amended it to include a clause limiting the number of judges on the Supreme Court to twelve, with nine justices on each Court of Assizes. Moreover it requested a voice in the appointment as well as the removal of all judges, but the Assembly threw out the amendment,⁹³ and the Council then rejected the bill. A week later, at a new session of the Assembly which began on 13 January, another Judges Bill was passed.⁹⁴ This one received Dalling's assent,⁹⁵ after a compromise was reached between both Houses. According to the Act, the nomination of judges was left to the Assembly, but the Council was given the right to concur in their dismissal, by five instead of seven assenting votes.⁹⁶ In England, the Board of Trade, after making a thorough investigation of the Act, recommended its acceptance to the King. Not only were the judges given secure tenure of office, but the Act was incorporated into the Governors' instructions after 1783.⁹⁷

⁹¹J.A.J., 23 December 1780. *Ibid.*, p. 331. The five members were Messrs. H. Lewis, Philip Livingston, the American, Henry Browne, George Crawford Ricketts, and John Grant, one of the displaced judges.

⁹²J.A.J., 3 January 1781.

⁹³J.A.J., 9 January 1781.

⁹⁴J.A.J., 13 January 1781.

⁹⁵*Ibid.*, p. 356.

⁹⁶Dalling to Germain, 31 January 1781. C.O. 137/80, fos. 58-60.

⁹⁷Metcalf, *Royal Government*, p. 215; Richard Jackson to the Board of Trade, 28 November 1781. C.O. 137/39, fo. 164.

In Jamaica, like Antigua, the life of an Assembly could be extended indefinitely.⁹⁸ Because of the continuing disputes and political unrest in the island, the Jamaica Assembly wanted to get a mandate from the people for its policies. Therefore, in 1778 it passed a bill restricting the duration of future Assemblies to seven years.⁹⁹ A clause was included dissolving the present House after 1 February 1780.¹⁰⁰ However, Dalling refused his assent because the bill had no suspending clause, but still sent it to England.¹⁰¹ The Governor who was ideologically averse to the dissolution of a recalcitrant House since this created strong public support for the factious leaders who were invariably re-elected, saw his opportunity to get rid of many of his enemies if such a measure was accepted in London.¹⁰² When, therefore, the Assembly passed a similar bill a year later limiting its life to 1 February 1781,¹⁰³ on the advice of the Council, as well as to maintain peace in the island, Dalling passed the bill. Nevertheless, he became worried about the ever increasing tendency of the members of the Assembly to make more demands once he

⁹⁸Spurdle, *Early West Indian Government*, p. 72.

⁹⁹J.A.J., 11 November 1778. C.O. 140/59, p. 90.

¹⁰⁰'An Act for limiting the duration of the Assembly of Jamaica', 11 November 1778. C.O. 137/74.

¹⁰¹Governor Dalling's Speech to the Assembly, 23 December 1778. *Ibid.*, fo. 19.

¹⁰²Dalling to Germain, 14 September 1779. C.O. 137/76, fos. 166d-167.

¹⁰³J.A.J., 23 November 1779. C.O. 140/59, p. 181.

had made concessions. '...the more I sacrifice to the people who lead the present Assembly, the more rude, the more offensive, the more ungovernable they become', he now wrote.¹⁰⁴

In England, Richard Jackson, law-officer to the Board of Trade, supported the Act's confirmation, and also recommended that no action should be taken against Dalling for disobeying his instructions not to assent to such laws.¹⁰⁵ But the Board viewed the Act as too important an innovation to be dealt with in the usual manner, and sent it to the King for his personal examination. It also directed Lord Germain to instruct the Governor to dissolve the Assembly before 1 February 1781, if the 'political situations' worsened in Jamaica. In this way, the British government hoped to forestall any crisis, while fulfilling the wishes of the people 'without admitting and establishing the operation of the Act'. But once the political climate had cooled, the Act would then be disallowed.¹⁰⁶ By the beginning of December 1780, Dalling had not yet received any information on the fate of the measure and as the political existence of the House was to end on 1 February following,¹⁰⁷ he dissolved it in January.¹⁰⁸ The fate

¹⁰⁴Dalling to Germain, 10 December 1779. C.O. 137/76, fos. 196d-197.

¹⁰⁵Jackson to the Board of Trade, 27 April 1780. C.O. 137/80, fo. 108.

¹⁰⁶The Board of Trade to Lord Germain, 25 May 1781. C.O. 137/77, fo. 119. The date appears to be wrong. Germain to Dalling, 6 June 1780. *Ibid.*, fos. 128-128d.

¹⁰⁷Dalling to Germain, 5 December 1780. C.O. 137/79, fo. 125d.

¹⁰⁸Dalling to Germain, 31 January 1781. C.O. 137/80, fo. 56.

of the Act has not been included in the records, but thereafter the Jamaica Assembly was always dissolved before the end of the seventh year.¹⁰⁹

After Dalling's first year as Governor of Jamaica, which was a quiet one, and for which the Assembly gave him a plate valued at £500 'as a testimony of the esteem the House entertained of his conduct',¹¹⁰ he was faced with almost insurmountable problems, already discussed. As his relations with the House grew increasingly worse, he repeatedly requested a transfer because he felt that he was unequal to his civil and political duties, and wanted to return to the rigorous discipline of military life,¹¹¹ and because he was disappointed with the turn of events in Jamaica. Surrounded by a dissident Assembly made up of angry planters who were witnessing the destruction of their once prosperous estates, Dalling became disillusioned, and wrote: '...I experience in this Government certain things so derogatory to the honour and feelings of a man, that, were it not for your Lordships approbation of some parts of my conduct, I believe I should desert'.¹¹² Dalling also felt that the policy of giving in to the

¹⁰⁹ Lord Sydney to Lieutenant-Governor Allured Clarke, April 1787. C.O. 137/86, fos. 212d-213.

¹¹⁰ W.A. Feurtado, *Official and Other Personages of Jamaica from 1655 to 1790* (Kingston, 1896), p. 25.

¹¹¹ Mackesy, *The War for America*, p. 334; Metcalf, *Royal Government*, p. 202; Dalling to Germain, 20 May 1780. C.O. 137/77, fos. 142-142d.

¹¹² Dalling to Germain, 20 May 1780. C.O. 137/77, fos. 142-142d.

Assembly had destroyed the Governor's executive power, and as the 'King's Representative' the Governor had become but a 'shadow of what he was formerly'.¹¹³

As the dispute between Dalling and the Assembly got out of control, Germain became convinced that the safety of Jamaica depended on the Governor's removal from office. Sir Archibald Campbell who had distinguished himself as an officer in the American War, and had been given 'a dormant' commission as Lieutenant-Governor of Jamaica was now appointed Commander-in-Chief.¹¹⁴ Dalling left Jamaica in November 1781. His recall was not for any misconduct, but because the British government felt that a change was essential to ensure the loyalty and safety of the island.¹¹⁵ Campbell's appointment was strictly for military reasons and his administration, though quieter than Dalling's, was not without its problems. For instance, at the beginning of his administration the Council and Assembly became embroiled in dispute over the disposal of the surplusage. Campbell only succeeded in quieting the House by forcing the Council to surrender its claims.¹¹⁶

¹¹³Dalling to Germain, 5 December 1780. C.O. 137/38, fo. 190.

¹¹⁴Germain to Dalling, 13 November 1779. C.O. 137/75, fos. 140-140d; Germain to Dalling, 30 June 1781. C.O. 137/80, fos. 195d-196; Metcalf, *Royal Government*, pp. 219-222.

¹¹⁵Lord Germain to Sir Archibald Campbell, 2 August 1781. *Ibid.* fos. 204d-205.

¹¹⁶Archibald Campbell to Lord North, 21 June 1783. C.O. 137/83, fo. 103.

Like other West Indian Governors who had the misfortune to administer any of the islands' government during the American War, Dalling had experienced much hostility from the colonists and their representatives. While his character might have contributed to some of his problems, it is more likely that it was the general desire for political change with a shift of authority to the Assembly which gave rise to most of the disputes. During the years 1775 to 1782, the Jamaica House of Assembly made significant gains, and by the time Campbell took office at the end of 1782, he needed the Assembly's concurrence to implement any measure he considered necessary. Of this encroachment, Dalling so aptly wrote:

There is not a function of Government that these men have not thought of assuming: - the Sword as well as the Ballance they would wrest from the hands of the King; and leave his representative what Government have contributed to make him, an empty name.¹¹⁷

The political problems so evident in Jamaica are also common to Barbados, governed by Edward Hay, the former British Consul at Lisbon, from 1773 to 1779, and by Major-General James Cuninghame from 1780 to 1782. Here, as in Jamaica, a sizeable sector of the colonists was sympathetic to the American cause. The Barbadians were among the first to establish a fund for the sufferers of Boston. Moreover, although the American supporters had failed to get the Assembly to pass an

¹¹⁷Dalling to Germain, 31 January 1781. C.O. 137/80, fo. 57.

address to the King in support of the Americans,¹¹⁸ one to Governor Hay in July 1774 clearly outlined the Assembly's position on the developing crisis in America, which was expected to cause serious economic and political repercussions in the British West Indian colonies. The Barbadians were surely justified in their claims that because of 'that natural Connection and dependence of the distant Settlements on each other', the Caribbean colonists were 'deeply interested and affected' by the dispute.¹¹⁹

It is therefore not surprising to find that the constitutional debate between Parliament and the American colonists gave rise to increased opposition to the Imperial government throughout the British West Indies. In Barbados, this was centred around four main issues: namely, the control of internal taxation, the issuing of public money, the control of the militia and all defence projects, and in general, the entire question of Parliamentary privilege. The British Governors who were schooled to uphold the prerogatives and to interpret their instructions very strictly were unable to handle the chain reaction in the islands to the political struggle in America. In the West Indies prior to the period of the American Revolution, the various Assemblies were emerging as the most powerful body in the legis-

¹¹⁸Whitson, 'The Outlook of the Continental American Colonies', *P.S.Q.*, Vol.XLV, p. 86.

¹¹⁹Address of the Assembly of Barbados to Governor Hay, 19 July 1774. C.O. 152/55, fo. 103d.

lature, and consequently the members were demanding control over the executive branch of government. This was an organic change occurring within the existing political system as the sugar planters were too economically tied to Britain to risk exclusion from her markets.

This did not mean, however, that they were prepared to sacrifice their political freedom for economic security. The strange paradox was that without one they could not get the other, and they wanted both. In the early 'seventies, there was a significant amount of political disturbances in several West Indian islands, which were the results of some aspect of British policy. In Barbados, for example, attempts by officers of the Customs to curb smuggling with the Americans, by seizing bonds without certificates, incensed the white inhabitants and led to several days of rioting.

Describing these events early in April 1775, Hay wrote:

The Town was illuminated Tuesday 28 March and Thursday 30th and produced Mirth, Drunkenness and Riot; on Tuesday an Effegy was Burnt, said to be of Mr. Mills or Mr. Felton, and every Bodys Windows broke who would not illuminate. On Thursday Edward Worrell, A Searcher of the Customs House, his dwelling was attacked by the Mob, and severely handled.¹²⁰

The disturbances continued until the following Saturday 1 April when all the buildings in Bridgetown were lit up to celebrate the reinstatement of Gedney Clarke, Collector of the Customs, who was suspended for

¹²⁰ Edward Hay to the Earl of Dartmouth, 6 April 1775. C.O. 29/21, No. 8.

embezzling public funds. Hay was unable to end the destruction of property, which accompanied the celebrations, and he had to appeal to some of the most prominent inhabitants, including Clarke, to use their influence to end the rioting. Such was the mood of the people when Captain Payne arrived in Barbados in February 1776 for supplies for the British troops in America. Hay's permission to Payne to purchase all the provisions he could get angered many of the white inhabitants who complained to their representatives.¹²¹ Consequently, Henry Duke, the Solicitor-General and Representative for St. Michael, lost no time in raising the question in the House.

Duke was once described by Hay as a 'haughty and impetuous' man who loved, and would do anything for 'money...and popularity'.¹²² On the contrary, however, Duke was an able lawyer. Educated in England under the eminent jurist Sir William Blackstone, he possessed a shrewd and subtle mind, and was a popular leader who placed the interest of Barbados above Britain's. John Poyer, a contemporary historian, described Duke as an 'intelligent patriot'.¹²³ It was in this latter light, and not the Governor's, that many contemporaries viewed Duke's character. He was therefore able to pose such a

¹²¹Sir Robert Schomburgk, *The History of Barbados* (London, 1848), p. 334.

¹²²Hay to Dartmouth, 2 June 1774. C.O. 28/55, fo. 40d.

¹²³John Poyer, *The History of Barbados 1655-1801* (London, 1808) p. 446.

formidable threat to Hay's authority from 1773 to 1779 that the Governor recommended that lawyers should be prohibited from sitting in the Assembly; 'for if they are not well disposed, their studies give them a superiority over the Planters, who are the other Members'.¹²⁴

Soon after Hay's arrival in Barbados, he was in conflict with Duke who, as Attorney to Mr. Lascelles, a Barbados proprietor and partner of Lascelles and Maxwell of London, a firm trading to Barbados,¹²⁵ was directed by his client to sue Gedney Clarke for debt. In order to prevent Clarke's creditors from seizing his property, George Mills, the Inspector-General, on the advice of the Attorney-General William Moore, seized Clarke's property for money he had embezzled from the Crown. Hay then issued a 'Writ of Protection in Clarke's favour'.¹²⁶ Duke was so infuriated by Hay's action that he refused to appear for the Crown in Clarke's case.¹²⁷

Duke's refusal to prevent his private interest from clashing with his public duties further complicated the already tense situation. At a session of the Court of Chancery to hear several suits against Clarke, Duke refused to recognise Hay as having a superior position on

¹²⁴ Hay to Germain, 15 February 1776. C.O. 29/21.

¹²⁵ Ragatz, *The Planter Class*, p. 93. The letter-books of Lascelles and Maxwell (Wilkinson and Gaviller) were destroyed in the last war.

¹²⁶ Hay to Dartmouth, 13 August 1774. C.O. 28/55, fos. 60-60d.

¹²⁷ George Mills to Henry Dike, 15 June 1774. *Ibid.*, fo. 64; Henry Duke to George Mills, 15 June 1774. *Ibid.*, fos. 66, 72.

the Court, and addressed himself to your 'Honours'. Hay therefore threatened to leave if he were not addressed in the customary manner; whereupon, Duke replied, '"If your Excellency leaves the Court, I will speak to the Members...who have equal voice with yourself"'. The Solicitor-General's failure to observe protocol, and his doctrine of co-equality of the judges on the Court of Chancery did not prevent a majority of the members of the Council from voting for Duke to be reprimanded but not suspended.¹²⁸ Duke's behaviour was found to be 'highly improper and inconsistent with his duty as the King's Solicitor-General';¹²⁹ but probably because of his influential friends and employers in London, no further action was taken against him. Hay had therefore lost in his first encounter with Duke.

But the Governor was not one to forget old issues, He was an obstinate and self-centred official who had virtually no knowledge of colonial affairs, and even less of West Indian viewpoint. By the outbreak of the American War, he had lost touch with the mood of the white inhabitants of Barbados.¹³⁰ One contemporary wrote of Hay's character: 'This Governor did not want understanding, and...good intentions - but the impetuosity of his passions, to which he was extremely

¹²⁸'At a Meeting of His Excellency and Council', 18 May 1774. *Ibid.*, fos. 48, 51-52.

¹²⁹The Earl of Dartmouth to Governor Hay, 3 August 1774. *Ibid.*, fo. 64; Dartmouth to Hay, October 1774. *Ibid.*, fo. 74.

¹³⁰Makinson, *Barbados*, p. 92; Ragatz, *The Planter Class*, p. 151.

subject, led him into frequent quarrels with the first people in the island....'¹³¹ Evidently, it was because of Hay's opinionated personality that he deliberately maintained his very favourable view of the impact of the American War on the Barbadian economy, contrary to his own experiences and the Assembly's reports of severe scarcity.

The revolt of the American colonies had caused severe shortages not only for the West Indian planters but also for the British army fighting in America, and the squadrons in the Caribbean. Consequently, contrary to the desire of the West Indians to adopt a policy of neutrality, as much as possible, the Governors were willing to support the British government whenever possible. Such an opportunity came to Governor Hay in the middle of February 1776 when Captain Payne arrived in Barbados. As has already been stated, he was allowed to buy most of the provisions on the island, despite the opposition of many of the inhabitants. Conscious of the mood of his constituents, on 14 February Duke submitted to the Speaker, Sir John Gay Alleyne, an address to the King outlining the distressed economic conditions of Barbados, and requested that supplies be sent out immediately.

Sir John Alleyne was a popular leader, and as Speaker of the House of Assembly during the period of

¹³¹William Senhouse, 'Diary, 1750-1800', copied and compiled by Sir H.F. Senhouse. Rhodes House Library: MSS. W. Ind. r.5, pp. 304-305.

the American War, he made a significant contribution to the political maturity of the Barbados Assembly. His influence was so great that Governor Cuninghame described him as the chief opponent of 'the King's measures', who endeavoured 'to rob the Crown of the executive power'.¹³² But Poyer saw him as 'uniformly the noble, erect and zealous assertor of the rights of the people'.¹³³

After a heated debate on the declining state of the Barbados economy, and the probable outcome of Hay's permission to Payne, Sir John Alleyne skilfully influenced the House to defer the consideration of its petition until the following day, in order to ascertain the true state of the island's supplies. Hay's attempts to pressure the Speaker with threats of the dissolution of the House if the address were not withdrawn failed. On the following day, after rejecting two draft addresses, one from Sir John and the other from James Maycock, the Assembly unanimously adopted Duke's as being satisfactory to both factions.¹³⁴ During the years 1776 to 1782, there were two parties in the Assembly of Barbados. The majority party which was led by Sir John Alleyne and Henry Duke was ideologically more sympathetic to the American cause than was the minority party led by Robert

¹³²James Cuninghame to Lord Germain, 20 September 1780. C.O. 28/57, fos. 205d-206.

¹³³Poyer, *Barbados*, p. 440.

¹³⁴J.A.B., 14, 15 February 1776. C.O. 31/39; Schomburgk, *Barbados*, p. 334.

Burnet Jones, a lawyer, and sought to maintain harmony between the Governors and the Assembly. Only on a few occasions did the Assemblymen vote unanimously on any issue, and on major political debates in the House, the party members took opposite views, almost similar to twentieth century political parties.

Because the House had adopted Duke's address independent of the Governor and Council, Hay became infuriated and demanded an assurance from the Assemblymen that in future they would send all their petitions to be countersigned by the Governor and Council, and then to the King through the regular channels.¹³⁵ The revolt of the American colonies had probably led Hay to believe that the first signs of discontent should be crushed, and the ringleaders punished. But such a step was sure to breed more discontent. Like the American colonists, the West Indians had free governments with control over their internal affairs and thus the Assemblymen contended that petitioning the King was part of their Parliamentary privilege. Hoping to gain political advantages from reducing Duke's popularity, Hay suspended him, and then insisted on his dismissal as Solicitor-General; but regretted his action when Duke emerged as one of his most powerful enemies in the Assembly.¹³⁶ This dispute which began as a difference of opinions on the effect of

¹³⁵ Edward Hay to Sir John Gay Alleyne, 15 February 1776. C.O. 28/56, fo. 31; Hay to Germain, 15 February 1776. *Ibid.*, fo. 29d.

¹³⁶ Hay to Germain, 25 July 1776. *Ibid.*, fo. 62.

the American War on the Barbados economy was now shaping up into a political struggle between the Assembly and the Governor over the question of Parliamentary privilege.

The situation was allowed to develop by Lord Germain's policy towards the West Indian colonies. During the American War, Germain was more concerned with the defeat of the rebellious colonies.¹³⁷ Consequently, he virtually allowed the West Indian Governors a free hand in making important and sensitive decisions.¹³⁸ This therefore left them to confront Assemblies led by lawyers who used their knowledge of constitutional law and British Parliamentary history to make the Assembly the most important branch of the legislature.

Viewing his dismissal as a political move, and having received no reasons from Hay to whom he had sent a memorial challenging his right to dismiss patentees,¹³⁹ Duke carried his dispute with the Governor to the House, claiming his right to do so, not only as a Member of that body but because Hay's action had violated the Assembly's rights and privileges to petition the King. Using the same sort of language as the framers of the American 'Declaration of Rights',¹⁴⁰ Duke argued that in order to preserve free governments in the colonies, it was

¹³⁷Alan Valentine, *Lord George Germain* (Oxford, 1962), pp. 89-90.

¹³⁸Germain to Hay, 17 May 1776. C.O. 28/56, fos. 37d-38.

¹³⁹Memorial of Henry Duke to Governor Hay, 22 February 1776. *Ibid.*, fos. 45-47.

¹⁴⁰Ford, ed., *Journal of Congress*, Vol. I, p. 70.

necessary that the separate branches of the legislature remained independent. Warning the House that it would be the architect of its own destruction if members were allowed to sacrifice their 'Principles of Honor, Justice and Patriotism', Duke reminded the Assembly of its duty to uphold its resolution of 1760 'that an affront to the person of any member of the legislature for any matter, cause or act arising from any part of his whole circle of his duty in the public service, is an affront to the whole legislative body, an invasion of their rights and privileges'.¹⁴¹

But though Duke considered his address to be in the best interest of the public and had nothing to do with his duties as Solicitor-General, the Assembly did not agree that Duke's dismissal was a violation of its rights and privileges. The Speaker, normally one of his most ardent supporters, considered Hay's readiness to dismiss corrupt officers as an advantageous step towards maintaining the civil liberties of the colonists. He thus maintained that any attempt to censure the Governor would encroach on his authority for which he was not accountable to the Assembly. However, the House narrowly passed a resolution, moved by Valentine Jones, the other Member for St. Michael, and seconded by Samuel Hinds, supporting Duke's behaviour in the House.¹⁴²

The early faith which some members had shown in

¹⁴¹J.A.B., 19 March 1776. C.O. 31/39.

¹⁴²*Ibid.*

the Governor was quickly shattered when at the beginning of July 1776 the Speaker received a letter from George Walker, the island's Agent in London, stating that its petition had failed because Hay had misrepresented the island's economic condition to Lord Germain. Yet, the Governor's own measures to relieve the scarcity of food in Barbados by facilitating the importation of provisions into the colony show that the picture drawn by Duke's address was not exaggerated. At a meeting of the House to consider the implication of the Governor's claims, Duke made a long speech haranguing Governor Hay. He charged that Hay had deliberately attempted to subvert the right of the House to petition the Crown. This was yet another charge made in the 'Declaration of Rights',¹⁴³ and the issue had probably not been raised in the West Indies before.

Duke's protest to the House was the more vigorous on account of the constitutional struggle in America. He warned his fellowmen that if the Governor's doctrine went unchallenged, 'the Yoke of Tyranny and the abject marks and badges of Servitude are fixed on this Country...' Beseeching the House not to surrender its political freedom, he informed the Assemblymen that if its address were disallowed because it represented the people's views 'then indeed are things come to a strange and deplorable pass - and if to this Governor we owe it - to our Country we owe every nerve & sinew in the course of

¹⁴³Ford, ed., *Journal of Congress*, Vol. I, pp. 69-70.

a vigorous & steady opposition'.¹⁴⁴ He further stated that he was prepared to fight to prevent 'the Chain from being fastened upon' their necks and to stop Hay's charges from destroying the Assembly's political existence.

The House was moved by Duke's exhortations on this occasion, and upholding its rights to petition the King independent of the Council and the Governor, it unanimously passed a resolution asserting this privilege 'either concurrently with the other Branches of the legislature...or independently of them, to address the throne; and whoever...says or goes about to impeach... their undoubted right and privilege, is the Enemy of the Country'.¹⁴⁵ Following this, the Assembly voted a petition to the King denying that the Governor was qualified to speak for the people in its place. 'But God forbid', the petitioners wrote

that your Majesty should be influenced by any Representation of the Condition of Your People, contrary to that which has been offered by the chosen Guardians of the most valuable Interests, who must feel immediately with them no less than for them in every crucial Conjecture, and who are on every account the best qualified to transmit the real State of their Grievances to the Royal Ear.¹⁴⁶

The Assembly's struggle with Governor Hay was studiously followed throughout the island, especially in

¹⁴⁴'Extract of Minutes of the Assembly', 9 July 1776. C.O. 28/56, fos. 65-67d.

¹⁴⁵J.A.B., 9 July 1776. C.O. 31/39.

¹⁴⁶Petition of the Assembly of Barbados to the King, 9 July 1776. C.O. 28/56, fos. 70-70d.

St. Michael. In March 1776 the freeholders of that parish sent an address to their representatives supporting the Assembly's first petition to the King, and deploring Hay's suspension of the Solicitor-General. One of the signatories was James Shepherd, Chief Baron of the Court of Exchequer, who Hay removed from office for 'putting himself at the head of a Cabal to create mischief'.¹⁴⁷ Hay appointed Thomas Miller Shepherd's successor, but he too was forced to resign for opposing his policies.¹⁴⁸

Like Governor Dalling, Hay had demonstrated his inability to handle potentially explosive political situations judiciously. The removal of the judges was within the bounds of the Governors' instructions, but was unpopular with the colonists. Even Lord Germain was quick to point out to Hay that such action was detrimental to the public service, as it tended to weaken the judiciary.¹⁴⁹ These incidents demonstrated the need for judicial reform in Barbados; but nothing was done, and the judges continued to hold their places *durante bene placito*. During such politically sensitive times, it would have been better for Germain to take the initiative and send out an additional instruction to prevent the arbitrary removal of public officers. There are several other examples of the arbitrary removal of

¹⁴⁷ Hay to Germain, 13 April 1776. *Ibid.*, fo. 40d; Poyer, *Barbados*, p. 372.

¹⁴⁸ Hay to Germain, 7 December 1776. C.O. 28/56, fo. 97d.

¹⁴⁹ Germain to Hay, 6 March 1777. *Ibid.*, fos. 103-104.

patentees during this period;¹⁵⁰ but the Assembly stuck to its earlier decision not to interfere with this part of the Governor's prerogatives, although it took note of this situation in one of its addresses to the King. The House was more concerned with maintaining its authority to appoint and remove its own officers without any interference from the Governors.

At the end of 1776, Hay found an opportunity to reduce the Assembly's opposition by refusing to assent to a bill unanimously passed by both Houses appointing George Walker the island's Agent. Walker had incurred the dislike of Hay and Germain by his aspersions on their conduct towards the West Indies, especially of disregarding the plight of the islands.¹⁵¹ Hoping to avoid a clash with the Assembly, however, the Governor promised to assent to a new bill appointing another Agent. But the House's decision not to appoint another representative in England¹⁵² was welcomed by Hay because he believed that 'the political notions of the West Indians resident in England are so very contrary to the measures of government'.¹⁵³ However, in spite of the Assembly's pledge not to surrender its constitutional

¹⁵⁰ Hay to Germain, 27 May 1779. C.O. 28/57, fo. 91; Poyer, *Barbados*, p. 484; Cuninghame to Germain, 20 May 1781. C.O. 28/58, fos. 164-165; Cuninghame to Germain, 28 May 1781. *Ibid.*, fos. 166-170d; Schomburgk, *Barbados*, p. 342.

¹⁵¹ Hay to Germain, 12 October 1776. C.O. 29/21; Minutes of the Council of Barbados, 26 November 1776. C.O. 31/38 (hereafter cited as M.C.B.); Hay to Germain, 7 December 1776. C.O. 28/57, fo. 97; Germain to Hay, 2 October 1776. C.O. 28/56, fo. 77d.

¹⁵² M.C.B., 18 February 1777. C.O. 31/38.

¹⁵³ Hay to Germain, 26 February 1776. C.O. 28/56, fo. 111.

right to choose its Agent, the worsening economic conditions of Barbados and other circumstances which increased its need for representation in England forced the House to rescind its former stand. In 1777 the Assembly appointed Samuel Estwick its Agent in London.

But Estwick soon found himself locked in dispute with the British authorities, and in 1780 Governor Cuninghame rejected the bill for paying Estwick's salary. Like Hay's, Cuninghame's action threatened the rights of both Houses to appoint a representative, and raised serious doubts in the minds of the Assemblymen of the value of that office, if it remained within the Governors' power to disallow a bill which did not contravene his instructions. Estwick's conflict with the authorities was not of his own making, but stemmed from his orders from the Assembly to secure the abolition of the four and a half per cent duty.

In 1776 Felton issued new orders for the collection of the tax. Among these was one that all sugars were to be brought to the chief ports of the islands to be weighed and certified before exportation to Britain. This threatened to increase the hardships of the planters, by exposing their products to capture, theft and destruction. The conditions of shipping, and the threat of American privateers made the order unworkable.¹⁵⁴ The Barbados planters had complied with the new orders; but because of the worsening economic condition, the

¹⁵⁴ Burt to Germain, 17 September 1777. C.O. 152/56, fos. 185-186d.

Council and Assembly petitioned the King for the suspension of the order:

Such among other hardships is the rigid exaction laid upon this voluntary tribute, that the unfortunate planters are made to pay a duty of sugar for the dead weight of their Casks. Such are the unprecedented severities laid on our declining Trade, that the little Commerce remaining amongst us, must we fear be totally relinquished.¹⁵⁵

In support of the petition, Estwick sent Lord Germain a memorial, along with a statement of 'Facts ...relative to the 4½ per cent duty', and objections to its collection under Felton's regulations. Estwick also suggested the abolition of the impost and its replacement by a general tariff of three pence per hundred pounds on all sugar imported from the West Indies.¹⁵⁶ The Commissioners of the Customs denied giving Felton any new orders; but at the same time, they reserved the right to regulate the collection of the duty.¹⁵⁷ As Estwick had also received reliable information that Governor Cuninghame was instructed to settle this affair on his arrival in Barbados, the Agent dropped his own proposal to raise the question of the collection of the duty in the House of Commons.¹⁵⁸ However, because Cuninghame felt that Estwick had misled

¹⁵⁵Petition of the Assembly and Council of Barbados to the King, 14 April 1778. C.O. 31/38; see also T. 1/551, fos. 209-211d.

¹⁵⁶Memorial of Samuel Estwick to Lord Germain, 8 August 1778. T. 1/551, fos. 200-208; J.A.B., 3 May 1780, C.O. 31/41.

¹⁵⁷'Report of the Commissioner of the Customs', 16 July 1779. T 1/551, fos. 213-214.

¹⁵⁸J.A.B., 25 July 1780. C.O. 31/41.

the Assembly, he refused to assent to the bill for paying his salary.¹⁵⁹ Even the minority party viewed the Governor's action as an attack on the rights and privileges of the Assembly, and the House unanimously resolved that it would appoint no other person and that the usual salary of £200 per annum would be paid to Estwick retroactive to the date on which the Agent's bill was passed.¹⁶⁰

The Assembly's struggle to assert its rights against the Governor's interference with its proceedings was inevitably linked to the field of taxation and the financing of public works, as in Jamaica. Worsening economic conditions in Barbados provided the Assemblymen with the opportunity to gain control of all public works. The repairs of the fortifications were now entrusted to commissioners comprising members of the Assembly, the Councillors and Field Officers of the militia resident in each precinct.¹⁶¹ At a time when the planters were finding it difficult to pay their taxes, it was politically expedient for the House to reduce its levies on the inhabitants, by cutting back on government expenditure. This brought the brief interlude of harmony between Hay and the Assembly to an abrupt end. Verbal cannonading between both parties was renewed over money for repairing and building new

¹⁵⁹Cunninghame to Germain, 20 September 1780. C.O. 28/57, fo. 207d.

¹⁶⁰J.A.B., 18 April 1781. C.O. 31/41.

¹⁶¹Spurdle, *Early West Indian Government*, p. 91.

fortifications. So intent was the Assembly on upholding its rights and privileges against the Governor that it paid little, if any, attention to the island's defences.

Reports reaching Hay in 1778 convinced him that France would declare war against Britain. He therefore convened the Assembly, and requested it to raise money for the fortifications, to pass the Militia, Alarms and Molehead Acts to preserve the territories and commerce of Britain.¹⁶² The loyalty expected from the Assembly was not forthcoming. It refused to do anything because of the rising costs of government. Departing from the customary method of financing its internal defence, the Assembly now expected Britain to bear the burden; the island's share of the work had to wait until war was actually declared.¹⁶³ But there was little likelihood that Lord Germain would have allowed the Governor to draw his bills on the Treasury. Germain's policy was that the West Indian Assemblies were to pay the costs of defending the islands, and maintaining the soldiers sent there.¹⁶⁴ However, when France declared war against Britain in August 1778, Hay made another appeal to the Assembly for money to repair the fortifications. On this occasion, the House voted £6,000 to defray the cost of removing the serviceable guns to places on the coast

¹⁶²Governor Hay to the Assembly of Barbados, 28 May 1778. C.O. 28/57, fos. 43-43d; M.C.B., 28 May 1778. C.O. 31/38; Hay to Germain, 4 June 1778. C.O. 28/57, fo. 41.

¹⁶³Address of the Assembly to Hay, 28 May 1778. *Ibid.*, fos. 45-45d.

¹⁶⁴Valentine, *Germain*, p. 128.

most susceptible to attack, and for other related works. But no money could be spent without the Assembly's authority, and then only for the purpose for which it was raised. The Council rejected the bill;¹⁶⁵ but choosing not to press the issue, the House passed a new one without the objectionable clause, a few days later.¹⁶⁶

However, the capture of Grenada and St. Vincent in July 1779 shook the confidence of the recalcitrant Assemblymen. Hay summoned a joint meeting of both Houses and outlined to them the weakness of the island's defences. He urged the building of entrenchments, small redoubts, and a large one which could be used as a refuge in the event of an attack.¹⁶⁷ The Council and Assembly now unanimously passed a tax bill to raise £10,000 for building a large redoubt. By the Redoubt Act, the Assembly appointed a committee composed of five Councillors and seven Assemblymen, with any five forming a quorum, to carry out the project. In spite of this apparent cooperation, however, the Assembly empowered the commissioners named in the Act to draw their expenses directly upon the island's Treasurer, to borrow money, and to contract for material as required,¹⁶⁸ thus giving the House control of the public works and the money to

¹⁶⁵J.A.B., 1 September 1778. C.O. 31/39.

¹⁶⁶J.A.B., 16 September 1778. *Ibid.*

¹⁶⁷Governor Hay to the Council and Assembly, 22 July 1779, in J.A.B., *Ibid.*

¹⁶⁸Cunninghame to Germain, 23 November 1780. C.O. 28/57, fos. 36-36d; Spurdle, *Early West Indian Government*, p. 100.

be spent on them. A parcel of land was purchased in the parish of St. George to build the redoubt, later named Fort George, but Hay died before the completion of his one major success. For four years, he had fought with the Assemblymen to defend the island. In this struggle, Hay had conceded the executive power over the expenditure of public money, and although in theory his right to issue all monies still remained intact, in practice it was only a mere formality.

The Assembly's claim to examine the public accounts before any payments were made led to a political battle which lasted throughout James Cuninghame's administration. In August 1780 he refused his assent to a levy bill containing the objectionable clause, even though the Council, the Attorney-General, and the Solicitor-General Charles Brandford advised him to do so to maintain political peace in the island.¹⁶⁹ Instead, he sent the bill to Lord Germain who, likewise, advised him to pass any legislation based on precedent, and to cultivate the friendship of the House rather than attempt to regain any part of the prerogative which had been lost.¹⁷⁰

Cuninghame turned a deaf ear to these recommendations, and for the remainder of his administration

¹⁶⁹See 'Extract from the Levy Bill', 5 September 1780. C.O. 28/57, fo. 212; Opinion of William Moore and Charles Brandford, 5 September 1780. *Ibid.*, fo. 212d; Cuninghame to Germain, 20 September 1780. *Ibid.*, fo. 205; Spurdle, *East West Indian Government*, pp. 92-93.

¹⁷⁰Lord Germain to Governor Cuninghame, 28 November 1780. C.O. 28/58, fos. 74-74d.

the Assembly tenaciously refused to pass any tax bills, to the near ruin of the island's credit. Many public officers who had not received their salaries for several months resigned their positions; but the Assembly remained immovable, opposing any attempts at reconciliation with the Governor. On one occasion, when Cuninghame pointed out that the British government could not possibly pay for the internal defences of Barbados, the House rebuked him, and called for the application of the four and one-half per cent duty to its intended use. Then, if this could not be done, the Assembly demanded its immediate abolition. In previous wars, the West Indian Assemblies had raised large sums of money to fortify the islands, but to undertake the works only when an attack seemed imminent.¹⁷¹ In the American War, however, they did nothing because they could not tax impoverished planters, and also because of the several constitutional crises in the islands.¹⁷²

As in Jamaica, one of the burning issues of the period, apart from those of maintaining the rights and privileges of the Assembly, the control of public works, especially defence, the dismissal of patentees, and the issuing of public monies, was that of protecting the civil liberties of the colonists. The Barbados Assembly had not gone as far as that of Jamaica in constituting

¹⁷¹Pares, *War and Trade*, pp. 240-241.

¹⁷²Address of the Assembly to Cuninghame, 28 November 1780. C.O. 28/58, fos. 74-74d; J.A.B., 20 March 1781. C.O. 31/41; 'Resolves of the Assembly of Barbados', 14 May 1781. C.O. 28/58, fos. 223-223d.

itself a Council of War. It refused instead to renew the Militia Act, thus preventing the Governors from calling out, disciplining or training the militia. The verbal political volleying between Hay and the Assembly prevented the latter from giving him any power which was likely to endanger the liberties of the individual. In rejecting Hay's recommendations for a militia bill, the Assemblymen wrote:

...the difficulties and distrusts that rise up in our minds against the undertaking, and which seem rather to increase than lessen by every impulse to remove them...; and we are therefore most unwilling now, in times too more propitious to the Claims of civil liberty, in the Colonies than ever, to renounce a principle of attachment so Honourable to Society, and enforce Obedience by a power congenial only with the Habits of despotic sway.¹⁷³

It was, of course, the American War which they had in mind. Hay was disappointed, even shocked, by the attitude of the Assemblymen in which he detected the 'Speculative Notions of Liberty, such as have brought the Northern Colonies into those troubles'.¹⁷⁴ The experiences of the Assemblymen during Hay's administration, and the constitutional struggles in America before the fighting broke out, had also made them reluctant to comply with a request from the new Governor for a new militia law. The House reiterated its stand that because it was entrusted with the civil liberties of the people, it wished '...to guard on such an

¹⁷³ J.A.B., 1 October 1776. C.O. 31/39.

¹⁷⁴ 'Hay's Intended Address' to the Assembly, October 1778. C.O. 28/56, fo. 101.

occasion with more than common strictness...against all contingencies, and to provide for the time, which, from some painful Experiences of the past, we may fear to find no less favourable in the future'.¹⁷⁵ After communicating this in an address to Cuninghame, the Assembly voted to reduce his salary. This move renewed the power struggle which characterised Hay's administration, and sparked off yet another heated constitutional crisis in Barbados. Therefore, when Cuninghame appealed for a militia bill in 1781, the Assemblymen replied:

...your Excellency must pardon us, if whilst we observe a Disposition to exercise extraordinary Powers not warranted by Law, we are fearful of granting by Law, such new Powers, as from an arbitrary Stretch or Interpretation might inflict not only a temporary but a lasting and irretrievable Mischief upon our free Community.¹⁷⁶

Because of the tense political situation in Barbados, there was need for a tactful leader in 1780, but Cuninghame was not the man. He challenged the power of the Assembly outright, and thus clashed head on with its members. By the time Cuninghame began his administration in July 1780 the West Indian Assemblies had grown in stature and power. With every passing session, they became more like, and worked on the same principles as, the House of Commons. They had acquired the right to grant the Governor a salary, to impose internal taxes, to pass money bills which could not be

¹⁷⁵J.A.B., 22 August 1780. C.O. 31/41.

¹⁷⁶J.A.B., 20 March 1781. *Ibid.*

amended, to appoint their own officers, and to control all matters relating to the daily functioning of the Assembly, except its adjournment, although some Governors allowed the Speaker to adjourn their Assemblies.

The following incident illustrates the determination of the Barbados Assembly to maintain and preserve those rights for which it had struggled. At the end of 1779 Henry Duke was searching for ways of reducing government spending. His first proposal was the reduction of the salary of John Dotin, President of the Council and Commander-in-Chief from 1779 to 1780, but the House voted it down. At the opening session of a new House on 18 January 1780, even before it was known that James Cuninghame was appointed to that office, Duke proposed a lessening of the Governor's salary; but because of the constitutional limitations of awarding the Governor his salary only on the first meeting with the House, the motion was thrown out.

It came as no surprise, therefore, when Duke moved two resolutions in the House on 25 July 1780, after the Assembly's initial meeting with Cuninghame. The first was to cut his salary to £2,000 per annum, and the second stated that if the four and one-half per cent duty was abolished, the House would add £1,000 to his salary. The members of the majority party supported the resolutions. Sir John Alleyne made a thorough examination of the island's decline which he said was multiplied 'by the American Civil War, and the loss of those supplies from that Continent'. Robert Jones, on the

other hand, speaking on behalf of the minority party, viewed the proposed saving of £1,000 as an inept move which would make the Governor indifferent to the island's interests. While he agreed that something had to be done to curb the rising expenses of the government, he called for a reduction in defence allocations as a more judicious decision. Duke's supporters now rallied behind him, and in a full House, they pushed through the Settlement Bill with the four and one-half per cent duty resolution tacked to it.¹⁷⁷

The Council also passed the measure, but attached a stern message attacking the Assembly's action.¹⁷⁸ However, Cuninghame refused to assent to the Bill because he was unable to prejudge the British government's policy in regard to the tax, and because he feared that if he were to accept his salary under that condition, he would be setting a dangerous precedent. Germain's first reaction was that the Barbados Assembly had disrespected the King's representative, and wanted to force Parliament to abolish the duty.¹⁷⁹ It is doubtful whether the

¹⁷⁷ J.A.B., 25 July 1780. C.O. 31/41:

Six for 3,000 - Robert Burnet Jones, Colonel Richard Haynes, Major Thomas Burton, John Burke, Judge Samuel Walcott, and Judge Joshua Gittens.

Sixteen for 2,000 - Samuel Husbands, Edward Haynes, Benjamin Bostock, Benjamin Babb, Harrison Walke, James Cogan Cox, Robert Ayshford, Valentine Jones, Samuel Hinds, Abraham Cumberbatch, John Stewart, Joseph Woods, Henry Duke, Thomas Alleyne, William Gibbes Alleyne, and Sir John Gay Alleyne.

Most members voted along these lines on all major issues. This is particularly noticeable in the voting pattern of the minority group.

¹⁷⁸ The Council of Barbados to the Assembly, 25 July 1780. C.O. 28/57, fo. 170.

¹⁷⁹ Germain to Cuninghame, 7 February 1781. *Ibid.*, fos. 176-177d.

Assembly was trying to extort any concessions from London. The movement for the abolition of the duty originated from the worsening economic conditions of Barbados, and from the dangers inherent in the implementation of Felton's regulations. Furthermore, the resolution was a way of circumventing the constitutional restriction of increasing Cuninghame's salary which could not be changed after he had accepted it.

When the House met on 5 September, the controversy was renewed. Cuninghame's praise for the Assembly in his first meeting with that body was soured by his disappointing financial settlement. Consequently, he published an attack on the House charging that it was corrupt and profuse, that it had illegally appointed the island's Treasurer and Storekeeper, that its proceedings were done in a contentious spirit, and he called on the Assembly to frame laws which were based on strong constitutional principles.¹⁸⁰ Even Germain was shocked by Cuninghame's assault, and wrote to him: 'It was of great concern to me to find your answer contained so much Matter for Contention & ill Humour, and some Expressions which might be expected to excite Resentment, in Minds already heated and disposed for Inflammation'.¹⁸¹

In reply to Cuninghame's published address, the House adopted a highly inflammatory memorial, moved by Samuel Husbands and seconded by Henry Duke, vindicating

¹⁸⁰Cuninghame's Address to the Assembly, in J.A.B., 5 September 1780. C.O. 31/41.

¹⁸¹Germain to Cuninghame, 7 February 1781. C.O. 28/58, fo. 56d.

it from the charges. 'To be silent on the occasion of receiving such a Paper, full of accusations against the Assembly', the memorialists wrote, 'might be construed ...as an acknowledgement of our Guilt, and yet to reply to such a charge in a manner equal to our sense of injurious treatment lays us under the greatest difficulty'. They further asserted their right to appoint the Treasurer and Storekeeper to protect the island's interest against the abuse of power, and they admitted that the Assembly's usurpation of the executive power was to protect the people.¹⁸² No attempt was made to heal the breach with the Governor, although the minority party, from its loyalty to King and country, wanted to prevent the impending crisis.

Robert Burnet Jones, seconded by Judge Joshua Gittens, moved a postponement of the consideration of the memorial because the repercussion from such a highly emotional document was unpredictable; but this was defeated by a vote of fourteen to two. In the debate which followed, Duke was foremost in supporting the memorial. In another of his politically motivated speeches, haranguing the Governor, he told the Assembly: 'If the Commander-in-Chief is disposed to be violent the way to prevent this is not by a lame submissive conduct but...to act in all instances with a becoming spirit'. However, when the memorial was presented to Cuninghame, he refused to receive it. Sir John Alleyne

¹⁸²J.A.B., 19 September 1780. C.O. 31/41.

therefore ordered its publication, along with the minutes of the last two meetings of the House, and copies of all material relevant to the Assembly's relationship with Cuninghame were sent to the Agent to begin proceedings for the Governor's recall.¹⁸³

Disappointed with his loss of income, Cuninghame now established a 'Table of Fees' covering all aspects of his command. But while this freed him from depending on a hostile House, it did not free him from popular resentment. Here in Barbados, as in America and Jamaica, the colonists argued that by their charters they possessed 'all the liberties, franchise, and privileges of British subjects'. Therefore, no decree, no laws 'should be made to the hurt or discommodity of any person or persons, either to the binding, constraining, burthening, or taking away of their liberty, goods and chattels otherwise than by laws made with their own consent'.¹⁸⁴ Cuninghame's action was also contrary to local statutes and the custom of his predecessors who had never taken fees for their private use.¹⁸⁵ Every attempt was therefore made to evade paying the new fees. Even the women 'suffered their patriotism to prevail over their natural delicacy, and submitted to the banns of marriage, rather than their lovers should yield to the

¹⁸³*Ibid.*

¹⁸⁴Poyer, *Barbados*, pp. 443-444.

¹⁸⁵Hay to Germain, 4 June 1778. C.O. 28/57, fos. 47d-48.

governor's exactions for a license'.¹⁸⁶

The growing dissatisfaction with the fees, which had spread throughout the island, was brought to the Governor's attention in an address of the Grand Jury, but this went unnoticed.¹⁸⁷ However, a number of legal suits brought against Thomas Workman forced him to stop collecting the fees.¹⁸⁸ But this did not deter Cuninghame from establishing a more comprehensive 'Table', and appointing Nicholas Walrond his Agent for collecting the new charges.¹⁸⁹ In November 1780 the Assembly sent an address to the King asking him to redress Cuninghame's usurpation of its legislative authority over taxation, and the appropriation of public money.¹⁹⁰ Six months later, after hearing a memorial from the associated inhabitants of St. Michael stating that Cuninghame's policies were destroying the commerce of Barbados,¹⁹¹ the House further petitioned the King for the 'Protection of the Rights, Liberties and

¹⁸⁶Poyer, *Barbados*, p. 445.

¹⁸⁷'Copy of the Grand Jury's Address to his Excellency', 18 December 1780. C.O. 28/58, fos. 61-61d.

¹⁸⁸M.C.B., 29 September 1780. C.O. 31/42; M.C.B., 25 April 1781. *Ibid.*

¹⁸⁹Samuel Estwick to the Board of Trade, 18 August 1781. C.O. 28/58, fo. 326d.

¹⁹⁰Petition of the Assembly of Barbados to the King, 17 November 1780. C.O. 31/41.

¹⁹¹Memorial and Remonstrance of the Merchants, Traders and Inhabitants of St. Michael to Sir John Alleyne, 14 May 1781. C.O. 28/58, fo. 215-220.

properties of the Injured Inhabitants'.¹⁹²

As the dispute between Cuninghame and the Assembly continued, public services were disrupted. Led by the residents of St. Michael, the seat of opposition to Cuninghame, the inhabitants of other parishes formed volunteer associations to repair the fortifications and to defend their properties. Believing that these were signs of the people's willingness to pay taxes, Cuninghame dissolved the Assembly in the middle of 1781, and published a proclamation listing his reasons - one of which was that the Assembly's refusal to vote money for the island's defence had 'drawn injurious imputations on their loyalty and attachment to his Majesty's Government'.¹⁹³ In contrast to the Governor's aims, meetings were held to show and declare public confidence in the Assembly's stand. 'In many parishes patriotic dinners were given by the freeholders in honour of their representatives, accompanied by popular approbation and esteem'.¹⁹⁴ At the elections, the voters rejected Cuninghame's charges. All the members of the last Assembly were elected, many of them unopposed and petitions in support of the behaviour of some members were sent to the new House.¹⁹⁵

In England, in the meantime, Samuel Estwick was

¹⁹²Petition of the Assembly of Barbados to the King, 14 May 1781. *Ibid.*, fo. 324.

¹⁹³J.A.B., 15 May 1781. C.O. 31/41; J.A.B., 28 August 1781. *Ibid.*

¹⁹⁴Poyer, *Barbados*, pp. 501-504.

¹⁹⁵J.A.B., 10 July 1781. C.O. 31/41.

busily pursuing several charges against Cuninghame; but with the change of the North Ministry in March 1782, there was a change of attitudes towards the colonies and Estwick therefore dropped the charges when Cuninghame was recalled, and replaced by David Parry. Cuninghame left Barbados a defeated and disappointed man whose failure, though partly due to his policies, lay in his struggle 'to maintain the just Prerogative of the Crown, and the Measurest of Administration in an Island tinged by American and levelling Principles',¹⁹⁶ which were noticeable in every West Indian island, from Jamaica to Tobago. It seems unlikely that the British government had deliberately chosen autocratic men to head the West Indian governments at this critical time. Dalling and Cuninghame failed not because they had adopted Machiavellian principles in running their administrations; but because they were unfortunately asked to govern two islands where the economic plight of the planters determined the amount of political activism, and where the American constitutional struggle had demonstrated to the Anglo-West Indians that as Englishmen they had to assert their 'rights' in order to protect their civil liberties.

Parry's arrival in Barbados was timely, in the same way that Campbell's had helped to quiet the colonists in Jamaica. It must also be remembered that by the time these men had assumed their commands, the

¹⁹⁶James Cuninghame to Welbore Ellis, 23 April 1782. C.O. 28/59, fo. 332.

Americans had all but won their independence. Therefore, the West Indians had now set their sights on the economic revitalisation of the islands. Parry found Barbados on the brink of economic and political disaster. The Council and Assembly were at loggerheads over the fees controversy. The militiamen refused to obey Cuninghame; but concentrated on their own associations for the defence of their 'liberties and properties'. Summing up the situation, Parry wrote that he 'found it [Barbados] torn to pieces, and destructed by Party, and men's minds sour'd to a degree approximating to dissaffection to the Mother Country'.¹⁹⁷

As in Jamaica, the British government did not want to take chances, and therefore it gave in to the Assembly's demands by changing parts of the Royal Instructions. The fifteenth instruction was amended and Parry was authorised to consent to all money bills which, although not conforming to the instruction with respect to the issuing of public money, was in accordance with the custom and practice of the island. His thirty-sixth was also changed, and the Governor was directed to assent to a bill placing the permanent establishment of fees in the whole legislature. The Assembly lost this opportunity by clogging the bill for paying Parry's salary with one declaring the right of establishing fees to be in the Barbados legislature; but no Governor would have dared to impose his own fees

¹⁹⁷David Parry to Lord North, 21 September 1783. C.O. 28/60, fo. 60d-61.

again. Finally, the thirty-ninth instruction was amended and Parry was prohibited from filling any vacancies which, by law and custom, were appointed by the Assembly or by the whole legislature.¹⁹⁸

It is not accidental that Dalling, Hay and Cuninghame, as well as the Governors in the other Caribbean colonies, made almost identical statements about the growth of a republican ideology among the colonists, by which the executive power was to be controlled by the elected representatives, with the Governor a mere figurehead. On political and constitutional issues, there was one major difference between the Americans and the West Indian colonists - the degree to which they would go to achieve their aims. Until 1775, the majority of Americans did not want a war. The West Indians remained decidedly anti-war throughout the period. There were some in the smaller islands who spoke of armed struggle; but these were few. The majority of the colonists in the Caribbean preferred to gain their goals by constitutional means.

¹⁹⁸ Draft of Instructions to the President and Council', 27 August 1780. C.O. 28/59, fos. 354-357.

CHAPTER VII

POLITICS IN THE CEDED ISLANDS 1774-1779

Many of the political questions raised in Jamaica and Barbados were also common to the ceded islands, namely: Dominica, Grenada, St. Vincent and Tobago. There were murmurings against the payment of the four and one-half per cent duty, the suppression of civil liberty, and the participation of French Catholics in government. By proclamation of October 1763 and the Royal Instructions to Governor Brigadier-General Robert Melville, the usual form of colonial legislature was established in each of the new colonies; but as the law required each member of the legislature to make a declaration against transubstantiation, the French Catholics were excluded. Another proclamation of 1768 partially corrected this discriminatory practice, and a limited number of French Catholics were admitted to the Council and Assembly, without having to take the oath. This policy change was bitterly opposed in Grenada, and was seen as a denial of the civil liberties of the English speaking inhabitants.¹ One planter complained:

I am apprehensive that Gov't want to make
our Liberty's a meer shadow, the attempt to

¹Ragatz, *The Planter Class*, p. 113; Burns, *History of the West Indies*, pp. 506-507.

bring in Foreign Catholicks The Taxing us, without our Consent, while we have a Legislature, the depriving us of tryal by Jury & obliging us to pay those illegal Taxes by a Court of Exchequer, *without a remembrance*, the proceeding to Elections without summoning the Electors are certainly steps not altogether right.²

Following the establishment of legislatures in the ceded islands, the King by letters patent issued in July 1764 imposed on the planters the same four and one-half per cent duty as that paid by the inhabitants of Barbados and the Leeward Islands. One planter, Alexander Campbell, who owned lands in Grenada and had paid the duty, filed an action in the English courts in 1774 against William Hall, the Customs Officer who had collected the tax, claiming that the Crown had surrendered its right to tax the colonists when he created legislatures in the islands. The case was heard by Lord Mansfield who ruled in favour of the plaintiff. In this celebrated test case, Campbell argued that Royal Orders could not replace the laws, and were therefore not enforceable in the colonies without the authority of their legislative bodies. This decision, a milestone in the debate on Britain's right to tax the colonies, led to the abolishment of the four and one-half per cent duty in the ceded islands.³

Campbell's victory motivated the colonists to unite in opposition to attempts by the Governors to persuade the Assemblies to pass bills granting the duty

²John De Ponthieu to John Wilkes, 10 October 1769. Add. MSS. 30,870, fo. 204d.

³Augier *et al.*, *The West Indies*, pp. 105-105; Ragatz, *The Planter Glass*, p. 128.

to the Crown. The problem of implementing such an unpopular measure worried the Governors of the ceded islands. Lord Mansfield's ruling in November 1774 had come at a critical moment in the relations between Britain and America, and around the same time that Valentine Morris, a wealthy Creole and slave-owner, had arrived in St. Vincent. Morris was 'ostentatious' and 'extravagant', a generous and convivial host and gambler who was accustomed to an affluent life. An absentee Member of the Council of Antigua since 1759, Morris was appointed Lieutenant-Governor of St. Vincent in 1773.⁴

On his arrival in St. Vincent, Morris found "a turbulent colony little disposed to conduct itself with order and regularity, or pay due respect to authority".⁵ There were sporadic disorders on the island; the Assemblymen refused to enact any laws; and the functions of government were severely retarded. His reports were therefore unfavourable to the colonists. Thus, as one way of curbing the power of the Assembly, Morris recommended his appointment as Escheator of the Crown. Like many of his contemporaries, he too was fundamentally opposed to the dissolution of the Assembly as an effective way of forcing it to implement unpopular

⁴Ivor Waters, *The Unfortunate Valentine Morris* (Chepstow, 1964), pp. 6-28. When Morris was appointed Lieutenant-Governor of St. Vincent, the ceded islands were grouped together to form the Southern Caribbee Islands governed by William Leybourne. After Leybourne's death, the British government created St. Vincent a separate government independent of Grenada and Tobago, and Morris became its first governor.

⁵*Ibid.*, pp. 31-32.

policies; for when political disputes led to premature dissolutions of the House, the general public became involved in them, and the same members or others of similar or much stronger beliefs were elected, thus 'bringing with them an increased degree of acrimony, & distrust of every future measure whatever'.⁶ But Morris was not against influencing the election of representatives by bribery; for he believed that if they were dependent on him for their seats, their opposition would be broken as their 'obstinacy would be daily sapped and lulled asleep, by very many of their own connections, and dependents who harkened after favours from the Escheator'.⁷ While the planters loved social position, it was doubtful whether they were prepared to surrender any part of their political freedom for public office.

After failing to get a four and one-half per cent bill through the House, Morris advocated in April 1775 the enlargement of the Assembly from thirteen to fifteen members. This, he believed, would enable him to break the strength of the opposition group led by John Collins, a firm supporter of the rebellious American colonies; Michael Keane, who called his House Fenneuil (Faneuil) Hall after the meeting place of the rebels in Boston, and toasted their commanders when they won any advantages;

⁶Valentine Morris to the Earl of Dartmouth, 25 December 1774. C.O. 101/18, Part 1, fo. 14.

⁷*Ibid.*, fos. 14d-15; Waters, *Morris*, p. 33.

⁸Morris to Germain, 29 May 1779. C.O. 260/6, fos. 112-113; Valentine Morris, *A Narrative of the Official Conduct of Valentine Morris, esq., ...* (London, 1787), p. 42.

Duncan Campbell, a relative of the Alexander Campbell who had successfully opposed the four and one-half per cent duty, was able to influence a majority in the Assembly since several members depended on him for their seats; and William Crooke, a wealthy planter, who was suspended from the Council for opposing the Governor's policies. He was immediately elected to the Assembly, and became its Speaker.⁹

This group opposed the four and one-half per cent tax bill, and refused to renew the militia bill or to pass a new one until shortly before Leybourne's death, and then clogged it with so many restrictions limiting the prerogatives of the Crown that he refused his assent. What they wanted is not quite clear, and in most cases their political ideology has to be taken from the Governor's despatches, but even so it is still possible to create a fairly comprehensive picture of politics in St. Vincent during the period of the American Revolution. Men like Collins and Keane supported the Americans, and called for 'liberty and independence' for the island. But these demands were not backed by any real threat of violent rebellion; for the West Indians fully understood that their economic interests dictated that they remained neutral in the conflict. However, Morris might have underestimated the strength and ability of his opponents when he accused them of not understanding the words 'but catch the sounds from their ideas of these from North

⁹See *Ibid.*, pp. 47-48 (note).

American gazettes & North American Cpts., both of which swarm in all these islands'.¹⁰

There were two ways by which Morris could have increased the St. Vincent Assembly. He could have done so by an Act of the legislature, but he preferred to issue a proclamation which would enable him to influence the choice of representatives. Issuing writs of election, especially for new parishes, was a significant political weapon, if the writs were worded to impress upon the new members that they owed their position to the Governor. Some Governors' failure to publish notices of elections in certain areas had already been a source of complaint in the West Indies.¹¹ Thus, this latter method seemed the more explosive bearing in mind that Alexander Campbell's successful law suit was fresh in the minds of the planters. Any proclamation to change the composition of the Assembly therefore posed innumerable problems, but to Morris's plan everything was secondary. His obsession was to bridle the opposition, and reduce the importance of the 'turbulent members'.

When, at the end of 1775, St. Vincent became a separate government, with Morris as its first Governor, he was instructed to secure the passage of the four and one-half per cent tax bill with provisions similar to those in the Leeward Islands Act. To encourage him to carry out his instruction, Morris was told that no other fund

¹⁰ Morris to Dartmouth, 28 April 1775. C.O. 101/18, Part 1, fos. 121-121d.

¹¹ DePonthieu to Wilkes, 10 October 1769. Add. MSS. 30,870, fo. 204.

was provided in England for paying his salary. In view of the political mood of the colonists and their total opposition to this measure, the Governor was asked to perform a Herculean task.¹² Had he followed the stand taken by Shirley in Dominica, who simply refused to ask the Assembly to pass such a bill,¹³ his administration might have escaped the political crises with which it was faced. But Morris's social and political background was such that he could not condone disloyalty, and it was in this light that he viewed the Assembly's refusal to enact the duty bill. He assumed that because most of the Assemblymen opposed to the tax came from the towns where they were in contact with North American merchants and ideas, and were 'led away with the delusive sounds of liberty and independence',¹⁴ it was possible to secure the duty if a new House were elected.

Therefore, on the advice of Charles Sharpe, lawyer and Speaker of the Assembly, who was later accused of supporting the Americans and because of Morris's desire to implement his instruction, Morris dissolved the Assembly in August 1776 and issued writs for new elections. Immediately the public papers teemed with letters and advertisements advising the freeholders to choose only men who were opposed to the bill. The opposition grew so powerful, and the proposed tax became

¹²Lord Germain to Valentine Morris, 3 April 1776. C.O. 71/6, fos. 1-2.

¹³Shirley to Germain, 16 May 1776. C.O. 71/6, fo. 68.

¹⁴Morris to Dartmouth, 28 April 1775. C.O. 101/18, Part 1, fo. 121.

such a popular issue, that many voters extorted from the candidates an explicit agreement not to support the four and one-half per cent tax bill. Only those who made firm commitments were elected. Heading the opposition was Duncan Campbell whose name, wealth and social position made him a popular leader, and a powerful opponent of the administration's policies.¹⁵

With an overwhelming mandate from the voters, the House assembled prepared for battle. When Morris met the new Assembly in September, on the advice of Charles Sharpe, he did not mention the duty in his speech to both Houses. A majority of the members were not only prepared to vote against the bill, but to accompany their refusal 'with votes & resolves, so indecent & Disrespectful to his Majesty'.¹⁶ Consequently, as a solution to this impasse, Morris renewed his appeal for a larger Assembly, and recommended a closer examination of those appointed to public offices to determine their loyalty to Britain. Here the West Indian Governors, Morris informed Germain, could play a significant role enabling government

to crush the too daring, to strengthen the friendly, & to punish the rebellious ... & all this would be found scarce sufficient to keep men to their duty, when the latent desire of independency, the pride of acquiring importance, & the removal from the immediate source of rewards & Punish-

¹⁵ Morris to Germain, 6 September 1776. C.O. 260/4, fo. 37; see Waters, *Morris*, p. 37.

¹⁶ Morris to Germain, 6 September 1776. C.O. 260/4, fo. 37d.

ments concur to prompt them to spurn & resist all restraint & orders.¹⁷

In order for Morris, without any help from London, to 'overthrow the...tow'ring fabrick of popular opposition so effectually that it could never once again raise its head' in St. Vincent, he extended his former plan. Instead of adding two members to the Assembly, he now recommended four, and the creation of a new parish by dividing St. George which was now to be bounded by the Iambou River. The remaining section along with the lands granted to General Robert Monckton and those ceded by the Caribs were to constitute the new parish which was to have three of the new seats in the House. The other representative was to be elected from Calliagua, a town in the parish of St. George, only a few miles from Kingstown. Morris assumed full responsibility for influencing the election of the new members if he were allowed to increase the Assembly by proclamation rather than by an Act of the legislature.¹⁸ The Board of Trade favoured the plan in full, and at first proposed that it should be adopted, but postponed the consideration of a draft instruction on the advice of Lord Germain.¹⁹

As has already been indicated, one of the deficiencies of Lord Germain's administration was his overriding concern with the American War, and his consequent

¹⁷Morris to Germain, 19 September 1776. *Ibid.*, fo. 40d.

¹⁸Morris to Germain, 6 September 1776. *Ibid.*, fos. 38-38d.

¹⁹*Journal of the Commissioners for Trade and Plantations 1768-1775* (London, 1937), p. 167 (hereafter cited as *Journal of the Board of Trade*).

failure to make firm decisions on pressing questions in the West Indies. Despite Morris's repeated appeals for instructions on how 'to Bridle the licentiousness of certain hotheaded individuals that have hitherto distracted the colony',²⁰ nothing was done. He therefore took matters into his own hands. At the beginning of July 1777 he prorogued the House for six weeks hoping that during the interval he would be instructed to institute his plan.²¹ But as he received no directives from Lord Germain, he created two new parishes - Chepstow and Monmouth, named after his native areas in Wales, and the hamlet of Tintern which adjoined Monmouth parish.²²

Chepstow adjoined St. George, while Monmouth began at Galaway River, extending to the Colonarie River. The hamlet of Tintern included all the lands between the latter river and the Carib lands on the Bayera River. In seeking confirmation of his plan, Morris warned Germain that, 'without some new instructions', he was not to 'expect anything but a series of opposition to measures each in a bolder strain than the preceding one from the success of the opposition to the last'.²³ Governor Dalling of Jamaica made the same observation about the Assembly of that island. In the middle of November Morris completed plans for the representation

²⁰Morris to Germain, 2 January 1778. C.O. 260/5, fo. 65d.

²¹Morris to Germain, 8 July 1777. C.O. 260/4, fos. 157d-158d.

²²Morris to Germain, 16 September 1777. *Ibid.*, fos. 191-191d.

²³*Ibid.*, fo. 192.

of the new electoral areas, but decided to issue no writs of election for them until he had received instructions from London.²⁴ But the deteriorating condition of St. Vincent's economy, the growing political unrest, and the threat of an Anglo-French war forced the Governor to change his decision. After meeting Attorney-General John Sharpe, Morris dissolved the Assembly in May 1778 and issued writs of election for three members from each of the new parishes.²⁵ No writ was issued for the hamlet of Tintern.

Morris's action was certainly unconstitutional, but here was a prime example of the difficulties with which Governors were faced when they were not directed on what steps to take on sensitive political matters, especially when they requested them as Morris had repeatedly done. In the West Indies where the gulf between the rights of the Crown and the demands of the colonists was widening, and where the total opposition to 'Government' was the 'prevailing madness' of the colonists,²⁶ it was difficult for any Governor to carry out unpopular policies. When the new House met at the end of June, it elected William Crooke Speaker, and before meeting Morris the Assembly sent him a message questioning the election of the six additional members, pointing out that according to his twelfth instruction

²⁴Morris to Germain, 13 November 1777. C.O. 260/5, fos. 40-40d.

²⁵Morris to Germain, 28 May 1778. *Ibid.*, fo. 195d.

²⁶Morris to Germain, 4 February 1778. *Ibid.*, fo. 134.

there were to be only thirteen members in the Assembly; but the returns showed that nineteen representatives were elected. Furthermore, the old members requested permission to view his additional instruction, or any other authorisation, empowering him to create parishes and to file writs of election for them.²⁷ These were probably the moments that a Governor regretted most. Morris had made a constitutional change without any instruction. Nevertheless, he maintained, against all opposition, that he was entitled to do so, as it was by his authority that the House was elected, prorogued and dissolved.²⁸ This arbitrary and unpopular decision came at a time when the House was least willing to let the matter rest.

In contrast to Morris's claims, the Assemblymen maintained that the power to change the composition of the House lay with its members. The Governor therefore had no authority for any of his actions. However, the Assembly conceded that the proper constitutional procedure was by an act of the legislature; but denied that it met by virtue of the Governor's proclamation:

as by his Majesty's Proclamation of the 6 ... January 1767, a Constitution bearing some resemblance of that of Great Britain was granted to ... St. Vincent, since which if any new Parishes were necessary to be formed, or any addition made to the number of Members in the Assembly, the only proper, and constitutional method would have been by an Act of the whole legislature.²⁹

²⁷The Assembly of St. Vincent to Governor Morris, 29 June 1778. C.O. 260/5, fo. 266.

²⁸Governor Morris to the Assembly, 30 June 1778. *Ibid.*, fo. 267.

²⁹The Assembly to Morris, 30 June 1778. *Ibid.*, fos. 268-268d.

The Assembly's protest over the constitutionality of Morris's action was a more complex argument than whether he merely had the power to enlarge the membership of the House or not. To the Assemblymen, Morris had encroached on matters within their jurisdiction. Three other important questions were raised: first, if the Governor could increase the Assembly at will, then it would be directly responsible to him, and not to the electorate. It was therefore incumbent on the members to oppose Morris's attempts to pack the House, thereby maintaining free elections. Second, if a Governor were permitted to interfere with the composition of the Assembly every time it refused to adopt unpopular measures, then it would lose its freedom of debate; and third, if, as Morris argued, the Assembly's life depended solely on the Governor's proclamation, then any unscrupulous Governor could discontinue the meeting of the Assembly at will, either by dissolving or proroguing it for long periods. While the Governors had the authority to do any of these things for short periods of time, there is no evidence to indicate that he could alter the membership of the House.

The Assembly itself was unsure of its constitutional position in this area, and thus it wanted to establish a favourable precedent by increasing its membership by an Act of the legislature rather than by proclamation. The position taken by both sides created much tension on the island. In the House, the six new members were excluded from participating in its pro-

ceedings, and they therefore withdrew, thus posing severe worries for Morris. As they were not expelled, which would have probably been to recognise the legality of Morris's action, the Governor could not issue writs to elect six additional members only. His reaction to this impasse was not to find some common ground, but to send a message to the House reiterating his earlier declaration that the Assembly was summoned, prorogued and dissolved by virtue of the King's proclamation only.³⁰

In the crisis that was developing, the Assemblymen moved swiftly to establish their own authority in the disputed field. They immediately framed a bill to enable 'the different parishes in ... [St. Vincent] to send representatives to the Assembly, and for regulation of Electors'³¹ It was unlikely that the Board of Trade would have recommended the bill's acceptance since it was an attempt to limit 'the rights of the Crown' to create new parishes. The House itself was divided on the provisions of the bill, and after sitting for three days, the members failed to reach an agreement.³²

Before abandoning the proposed piece of legislation, however, the House prepared a detailed document charging Morris with acting unconstitutionally. It pointed out that it had the same control over its internal matters as the House of Commons whose membership

³⁰ Morris in Council to the Assembly, 7 July 1778. *Ibid.*, fos. 270-271d.

³¹ Assembly to Morris, 14 July 1778. *Ibid.*, fos. 272d-273.

³² Morris to Germain, 1 August 1778. *Ibid.*, fo. 219d.

could not be altered except by an Act of Parliament; that though the Jamaica House of Assembly was increased by proclamation in 1681 'ere the liberty of the subject had been ascertained' no such power had been used in that island since then, and the Jamaican Assembly had established the right to model its House to the exclusion of the prerogative. Furthermore, and probably the most significant argument raised by the Assembly was based on Lord Mansfield's decision in *Campbell vs. Hall*. They contended that if the King had surrendered his right to tax the people after he had granted a constitution and established Assemblies in the islands, the Crown had also forfeited its authority to interfere with the representation of the House.³³ The Assembly's new twist to the dispute had far reaching repercussions, and to quiet matters Morris prorogued the House indefinitely. Whether or not the old members were legally entitled to exclude the new ones is subject to debate; but it seems likely, however, that the Assembly's conclusion that the King had no power to increase its membership was basically correct.

The prospect of an Anglo-French war in the Caribbean at the beginning of August 1778 forced Morris to summon the House to a special meeting at which Captain Morse, the Engineer, gave a gloomy picture of the conditions of the island's defences. Although it was aware of the dangers facing the colonists, the House did nothing, because 'the means of the inhabitants to supply these

³³ Assembly to Morris, 14 July 1778. *Ibid.*, fos. 272-272d.

deficiencies, were totally inadequate to the exigencies of a season so full of peril both within and without'.³⁴ But two months later, the House, seeing its opportunity to take control of the expenditure of all public monies as was the case in the other islands, rescinded its former decision, and voted the nominal sum of £2,000 currency for repairs to the fortifications; but no steps were taken to raise the money. Furthermore, as in the case of Jamaica and Barbados, the Assembly placed the expenditure of the money under the control of a large committee of both Houses, and since a majority of the whole formed a quorum, absenteeism prevented the committee from doing any work.³⁵

As in Barbados and Jamaica, the militia laws of St. Vincent were ineffective. Attempts by the late Governor William Leybourne to persuade the House to frame an acceptable bill were unsuccessful. In July 1776, however, it passed one which prevented Governor Morris from keeping out the militia for more than three days without the consent of both Houses, and limited its duties to only those areas inhabited by white people; but he rejected the bill, and none was introduced in the House again. With no militia law and the threat of a French war, Morris ran into more trouble. On 23 August 1778 he summoned a meeting of the Council to get its advice on the declaration of martial law; but it refused

³⁴Assembly to Morris, 26 August 1778. C.O. 260/5, fo. 262.

³⁵Morris to Germain, 17 October 1778. *Ibid.*, fos. 296-296d.

to do so, or to take any steps to defend the island, until the Assembly was reconvened. Morris reluctantly complied with the Council's request.³⁶

As there was no militia law, the forts in a dilapidated condition, and the regular troops depleted, Morris declared martial law at the end of August 1778. As in Jamaica, the raising of the King's standard was attended with problems. At the beginning of martial law Morris sent his clerk John Show, a gunner at the fort in Kingstown, to survey the guns in the forts throughout the island. His report was prepared and submitted to Colonel Thomas Ottley, of the southern region militia. Morris also received Ottley's permission to retain Show's services during the period of martial law. But after Thomas Ottley left Kingstown, Lieutenant-Colonel George Lowman, a Member of the Governor's enemies in the Assembly, ordered Lieutenant Drewery Ottley, and another lieutenant of the militia, to go to the Governor's residence and arrest Show for desertion, but Morris stopped them. Later that evening, however, Drewery Ottley sent a sergeant of the militia, clerk to Duncan Campbell, and about fourteen men to arrest Show. With bayonets drawn, they rushed past the sentries demanding that Show be handed over to them. This detachment of the militia left the Governor's residence only after Morris ordered his night guards of the regular troops 'to turn out'.³⁷

³⁶Morris to Germain, 24 August 1778. *Ibid.*, fo. 244d.

³⁷Morris to Germain, 5 September 1778. C.O. 260/5, fos. 264d-265.

The incident bore little direct relation to the question of service in the militia, but was more of a test of strength between the Governor and the colonists. Around the middle of November, Morris, having received reports of a possible French attack on St. Vincent, had no choice but to call out the militia under a 'Commission of Array'. Most of the principal inhabitants refused to bear arms or to allow their employees to attend alarms, on the pain of removal from their services.³⁸ Six planters were indicted on charges of refusing to defend the island; but Lieutenant-Colonel Ganley and Major Peter Haffey, former Speaker of the House refused to hold a court-martial for the trial of deserters.³⁹ This Act of treason went unpunished. No judges would hear the charges, and Morris was forced to drop them for fear that if the cases against the deserters were heard by a grand jury also composed of defaulters, the defendants would certainly be acquitted, thus giving the King's prerogative a severe blow.⁴⁰

The Governor's power of declaring martial law, on the advice of the Council of War, was viewed with misgivings, and was one of the prerogatives that most Assemblies wanted to control by statute. Such emergency powers restricted trade, prevented the cultivation of estates, subjected the islands to slave uprisings, were a

³⁸Southey, *History of the West Indies*, Vol. II, p. 441.

³⁹Morris, *A Narrative* p. 52; *Journal of the Board of Trade*, p. 236.

⁴⁰Morris to Germain, 15 February 1770. C.O. 260/6, fo. 67.

financial burden to the planters, and created a host of other economic and social problems. The policies adopted by the West Indian Assemblies in dealing with this question varied from island to island; but in St. Vincent the colonists adopted a unique method. On a motion in the House by John Collins and seconded by James Blair on 23 December 1778, the Assembly went into a committee of the whole to investigate Morris's authority to compel the colonists to bear arms, under the penalties of martial law, without the sanction of a Militia Act.

In its report to the House, the committee called for the adoption of its strongly worded resolutions which held that 'no power whatever has a right to Compel the Inhabitants to take arms to perform military service'; that the Governor's declaration of martial law was unconstitutional, 'void of legal foundation', and was a 'manifest usurpation of the libertys of the subject'. But contrary to its own report, however, the Assembly advised the people 'that in the Hours of real Danger', they were 'to arm themselves And to exert their utmost Efforts for the Preservation of it'. The Public Works Committee was instructed to gain all information on the strength and movement of the French fleet.⁴¹ The Assembly's resolution summoning the colonists to bear arms was ambiguous and vaguely worded, but seemed to be as much a summons to the people to bear arms against the Governor as against the French to protect their civil liberty.

⁴¹Minutes of the Assembly of St. Vincent, 22 December 1776. *Ibid.*, fos. 43-43d.

Two days later, when it became clear that the Assembly would be embroiled in further disputes with Morris, it resolved that if it were dissolved, all its records must be immediately sealed up, and given to the Speaker who was to safeguard them until another Assembly met.⁴² This probably accounts for the lack of Journals of the Assembly of St. Vincent for this period. The House also refused to withdraw its resolutions, and Morris dissolved it on Christmas Day because of its 'Seditious, if not rebellious conduct'. He immediately issued writs for new elections; but by this time, the relationship between Morris and the Assembly had irrevocably broken down, and the functions of the civil government had all but disappeared. The Assemblymen showed no regard for the Governor's authority or even his instructions: 'These men, my Lord, do not couch their denial of his Majesty's rights and Prerogatives, in doubtful terms or even decent language; they say his Majesty's proclamations are "no law no authority whatever" and have especially called them waste paper'.⁴³

The dissolution of the House had once more given Morris an opportunity to increase its membership, and he therefore issued writs for the election of six additional representatives from Chepstow and Monmouth. When the new Assembly met early in 1779 it not only passed a resolution denying the Governor the right to establish new

⁴²*Ibid.*, fos. 44-44d.

⁴³Morris to Germain, 5 February 1779. C.O. 260/6, fos.55-56.

parishes and to issue writs of election for them; but it expelled the six new representatives, and refused to seat two other legally elected members, Robert Malloun, a magistrate, and Robert Glasgow, because the French voters had not taken the oath against transubstantiation. It seems more likely, however, that the other representatives suspected that Malloun and Glasgow were planted by Morris. They therefore seated two other members.⁴⁴ Morris now dissolved the Assembly, and no new elections were held before St. Vincent was captured by the French in July 1779.

The contest between Morris and the Assembly was not resolved. After the island was returned to the British in 1783, Governor Edmund Lincoln was instructed to make a report on the creation of parishes in St. Vincent, and to make recommendations for the distribution of seats, in view of the addition of the Grenadines to that Government. Lincoln made a study of this subject; but did not submit a report as the Assembly was then framing a bill 'to regulate the Qualifications of Electors & Candidates', encompassing the entire question in a way which embodied his ideas. By the provisions of the bill, St. Vincent was divided into five parishes instead of four. Each was to send three representatives to the General Assembly, while Kingstown and the Grenadines were to have two each. The qualifications

⁴⁴ Affidavit of Robert Malloun, January 1779. *Ibid.*
Morris to Germain, 5 February 1779. *Ibid.*, fo. 55d.

for representatives and voters were also acceptable to Lincoln; but nevertheless he refused to assent to the bill because it limited the life of future Assemblies to three years - a similar measure was passed by the Jamaica legislature a few years earlier. The bill, like the Jamaica Act, was allowed to 'lie on the table' in England,⁴⁵ and Lincoln was instructed to assure the representatives 'that no Assembly will be kept in Existence longer than the convenience of the members together with the good of His Majesty's service will allow'.⁴⁶ It was therefore accepted in principle that the Assembly could not be increased but by an Act of the Legislature.

Having successfully opposed the Governor's attempts to secure a four and one-half per cent duty bill, the colonists in 1776 refused to pay the quit-rents at £3. 18. 3 per ounce of gold, as agreed to at the time of purchasing their lands. The issue in contention was not the Crown's right to the rent, or even its legality. On the contrary, the colonists opposed an order sent to Archibald Ingram, the Receiver-General, that the rents should be collected at 82½ per cent exchange. Charles Sharpe who represented the planters and other proprietors argued that market factors, resulting from the American War, had forced the rate down to around 65 per cent, and therefore Ingram could not legitimately claim

⁴⁵Edward Lincoln to Lord Sydney, 26 July 1785. C.O. 260/7, No. 22.

⁴⁶Lord Sydney to Edmund Lincoln, 6 October 1785. *Ibid.*

the rate he was demanding. Furthermore, Sharpe insisted that though the Crown could give a currency to any coin or could fix its value in the colonies, it could not change 'the Course of a Country contrary to an express Law, by no other Authority or Solemnity than the Instructions given to the Receiver'.⁴⁷ This interpretation was adopted by the courts in later decisions. For example, in 1777 when suits of debt for the quit-rents were filed against four planters, the judges ruling in their favour stated that the rents were to be paid at the highest current rate of exchange, and not the one requested by Ingram.⁴⁸

An association for opposing the rents was headed by Duncan Campbell, John Collins, William Crooke, John Fraser and others of the Governor's enemies in the Assembly. Of the leaders, Chancery suits were instituted against Collins and Fraser; but they refused to answer the subpoenas, hoping that Morris would instruct the Attorney-General to issue writs of contempt against them. The Governor was sensible to the possible outcome of any attempt to arrest either Fraser or Collins, and therefore no further action was taken. Opposition to the collection of the rents reached remarkable heights. One planter, voicing, according to Morris, the opinion of a majority of his contemporaries, publicly declared his intentions

⁴⁷Charles Sharpe to Archibald Ingram, 30 August 1776. C.O. 260/4, fos. 52-53; See 'Extract of Act' (no date). *Ibid.*, fos. 143-143d; Waters, *Morris*, p. 61.

⁴⁸Morris to Germain, 9 November 1777. C.O. 260/5, fo. 32.

to 'joyn Washington's Army' rather than pay the 82½ per cent exchange.⁴⁹ Other threats to join the Americans were commonly made in the West Indies. A planter in Grenada, afraid of losing his civil liberties, wrote: 'If I must be a slave, I'll go live somewhere between latitude 30 & 44'.⁵⁰ The association now organised a public meeting as a show of strength. The hand-bill circulated throughout the island read as follows:

The present critical Situation of the Island demanding the Attention of every Gentleman who is not an enemy to his Country; It is hoped and requested that all who do not desire to be included in that description (particularly such as have lately been served with subpoenas in Chancery) will give attendance at the Court House on Friday next 30th instant, in order to consider what measures are most proper to be adopted.⁵¹

For fear of adding fuel to the flames of discontent, Morris did not interfere with the meeting. One result was that Collins harangued the crowd to resist by force any attempt to collect the rents at £3. 18. 3 per ounce of gold. The association further agreed 'to disobey all process of *any*, and *every* Court, which might be issued for compelling the paying ... the Quit Rents'. But the meeting turned out to be less violent than Morris had anticipated. The more moderate land-holders who were in the majority defeated a motion calling for

⁴⁹Governor Morris to the Lords of the Treasury, 23 February 1778. *Ibid.*, fos. 151-152.

⁵⁰De Ponthieu to Wilkes, 10 October 1769. Add. MSS. 30,870, fo. 205.

⁵¹'Copy of Hand Bills', 24 January 1778. *Ibid.*, fo. 138.

resistance by violence.⁵² Nevertheless, a mob attempted 'to tar and feather' Ingram,⁵³ unless he collected the quit-rents at the current rate of exchange. Fearing further attacks on his life, Ingram left St. Vincent,⁵⁴ and Morris appointed Jonathan Atkinson who succumbed to the wishes of the planters and other proprietors.⁵⁵

Morris's administration was further rocked by the Resolve Smith incident. In June 1777 the Governor received from Lord Germain three letters intercepted from Smith, in Salem, Massachusetts, to his wife, a supporter of the Americans; Dear Mills, a ship-owner and merchant, who traded with the West Indies during the War; and Henry Keene, a Justice of the Peace of Southwark, London. Smith, an American by birth, who was appointed private Secretary to Morris, claimed that he was captured enroute to St. Vincent and taken to America where, because of his connections he was appointed 'Commissary for the Management of Cartels and Exchange of Prisoners' for the entire Leeward West Indian islands. He was therefore given a ship with a cargo of provisions to go to St. Vincent where he was to use his influence with Morris to gain information

⁵²Morris to Germain, 2 February 1778. *Ibid.*, fo. 136.

⁵³'Summary of the Conduct of the Colonists', 10 March 1778. *Ibid.*, fo. 167.

⁵⁴Morris to Germain, 13 June 1777. C.O. 260/4, fos. 140-141; Morris to the Treasury, 14 March 1777.

⁵⁵Charles Ashwell to Edmund Lincoln, 28 October 1784. C.O. 260/7.

for the Americans.⁵⁶

Smith also had intentions of using his special position for commercial gains. In this business venture, Mills was to send him about £5,000 worth of medicine, civilian and military clothing and East India goods, except tea, on which he hoped to make over 500 per cent profit, and another 175 per cent on sterling cash dealings. His plans were no different from those of West Indians merchants who traded illegally with the rebels. After receiving the articles from England, Smith would then send them to Charlestown, Massachusetts; but with the pretence of clearing them out for New York under the provisions of the Prohibitory Act.⁵⁷ There is very little doubt that Smith was supporting the rebels, and had successfully tricked Morris into believing that he was forced to write the letters. Although Smith refused to comment on political issues in the event his letters were seized, he was confident of England's defeat, and said so in no uncertain terms:

It would be much easier to extirpate the lice from Ireland, Itch and Mange from Scotland and the Bed-bug from England And much more becoming the powers and Military Genius of your Ministry to undertake it than vainly to delude you into fatal expectation of conquering this vast Continent now in Arms from the Age of 16 yrs to 60, besides the corps of *Reserve of*

⁵⁶Resolve Smith to Wife, 19 March 1777. C.O. 260/4, fos, 69-71; Resolve Smith to Dear Mills, 25 March 1777. *Ibid.*, fos.60d-61; Resolve Smith to Henry Keene, 25 March 1777. *Ibid.*, fos. 66d-67; Waters, *Morris*, p. 51.

⁵⁷Smith to Mills, 25 March 1777. C.O. 260/4, fos. 61d-62.

Amazonian Heroines, who alone is enough to keep the field against all the Powers of Mars; but this is not the first time that England has been engaged in a War with Women & Children⁵⁸

On receiving the letters from Germain, Morris had Smith arrested. His correspondence was laid before the Council which ordered him to be tried for 'misdemeanour and high crimes',⁵⁹ which covered a host of offences, except treason, and were mainly political charges in the eighteenth century. At first the colonists believed that Morris had supported Smith; but when his letters were made public, Smith gained many friends. None of the qualified judges in St. Vincent wanted to hear the case. At his trial, however, Smith denied writing the letters despite the testimonies of Robert Malloun, and Robert Montagu Brown, Judge of the Court of Vice-Admiralty, who identified Smith's handwriting. Furthermore, Michael Keane, defence lawyer, convinced the court that even if Smith had written the letters, he did so under duress and they were therefore not admissable as evidence. Keane thus secured Smith's acquittal much to the chagrin of Morris.⁶⁰

At the end of 1777, the Council and Assembly of St. Vincent petitioned the King against Morris's conduct. Two major but trumped-up charges were laid against him.

⁵⁸*Ibid.*, fos. 62d-63.

⁵⁹'Extract of the Minutes of the Council of St. Vincent', 27 June 1777. *Ibid.*, fo. 155d.

⁶⁰Morris to Germain, 15 January 1778. C.O. 160/5, fo. 67; Waters, *Morris*, p. 59; Morris, *A Narrative*, p. 42 (note 2)

One was that he had made land grants to his relatives and friends without the advice of the Council. The second was that he had aided Resolve Smith.⁶¹ There was absolutely no foundation to the latter, and the list of land grants on which the former was based was illegally procured. This list, signed W. Taylor, Clerk of the Patents, was actually prepared by the Governor's enemies. According to subsequent investigation, it was revealed that Taylor did not sign it. Thomas MacPhum, Taylor's clerk, who had access to his office, and was authorised to sign all documents in Taylor's absence, was summoned to Duncan Campbell's house where, in the presence of William Crooke, he was made to sign W. Taylor to a list of land grants which he found to be incomplete and incorrect.⁶² Yet, although Crooke knew that the list was forged, he used it to persuade some members of the Council to sign a petition to Lord Germain.⁶³

The Board of Trade immediately began an investigation into the charge that Morris had made illegal land grants,⁶⁴ and in its report to the King in December 1777 the Board stated that Morris had prejudiced the rights

⁶¹Petition of the Assembly of St. Vincent to the King, November 1777. C.O. 260/5, fos. 51d-52; Memorial of the Council of St. Vincent to Lord Germain (no date). *Ibid.*, fos. 11d-13d.

⁶²Enclosure in Morris's', 3 October 1777. *Ibid.*, fo. 12; Minutes of the Council of St. Vincent (no date). *Ibid.*, fos. 25-26; Waters, *Morris*, pp. 57-59.

⁶³Morris to Germain, 13 October 1777. C.O. 260/5, fo. 23; 'Morris's Remarks on the Several Articles...within the Memorial' (no date). *Ibid.*, fos. 14d-16.

⁶⁴Germain to Morris, 3 December 1777. C.O. 260/4, fo. 201d.

of the Crown and the interests of St. Vincent by giving away over 3,854 acres of land in 64 lots contrary to the power vested in him and the Council. Without waiting for Morris's answer to the charges, his conduct was severely censured and he was instructed to grant no more lands without the Council's consent.⁶⁵ But in the meantime, Michael Keane was sent to England to press for the Governor's recall. Through Keane's connection, he solicited the help of Lord Shelburne and Colonel Barrè to raise the question of the Governor's conduct in their respective Houses.⁶⁶

While Morris was being investigated in England, he was facing more problems in St. Vincent. His next major disagreement with the colonists occurred because of the economic conditions of St. Vincent which inspired the Assembly to refuse making any appropriations for defence, as was the case in Barbados and Jamaica. Furthermore, the Lords of the Treasury had adopted a similar policy, and Morris was instructed to draw no bills on the Treasury for work which was not first approved by London. The Governor was therefore placed in an awkward situation. He had spent large sums of his own money to gain valuable and accurate information about the movement of the French squadrons and their military and naval preparations in the West Indies, to carry out much of the public works done in St. Vincent, and to pay for transporting food for the British soldiers in the outposts, when the House

⁶⁵Report of the Board of Trade to the King, 9 December 1777. *Ibid.*, fos. 203-204; *Journal of the Board of Trade*, p. 166.

⁶⁶Michael Keane to John Fraser, 17 December 1778. C.O. 260/5, fo. 290.

refused. With no help from either England or the Assembly, Morris dejectedly asked: 'How can I do it? how can I my Lord without funds, put the Island in that State of Security your Lordship's Letter directs?'⁶⁷

Moreover, some of his bills drawn on the Treasury were not honoured. Morris immediately stopped all public works,⁶⁸ ordered the dismissal of the workmen, and directed all public officials and contractors to apply directly to the Treasury for their money. His action had left St. Vincent undefended and vulnerable to an attack. Perhaps one way out of the dilemma was for him to issue writs for new elections; but then he would have either to surrender his declared right to increase the Assembly by proclamation, or risk asking a recalcitrant House to vote large sums for repairing the forts. He did neither. Instead, he wrote Lord Germain a long letter illustrating the conditions of his government. In summing up the situation, he wrote: 'For God's sake my Lord do not believe this drawing of distress ... is caricaturaed it is a plain & rather a slight sketch of outlines, which to fill up justly, would render the picture truly shocking'.⁶⁹

Because of the debts he had incurred for public works, law suits were brought against him in the courts of St. Vincent, and some of his property was seized.

⁶⁷Morris to Germain, 27 May 1778. *Ibid.*, fo. 194; see his earlier letter, 15 May 1778. *Ibid.*, fo. 192.

⁶⁸Morris to Germain, 24 August 1778. *Ibid.*, fo. 244.

⁶⁹Morris to Germain, 2 May 1779. C.O. 260/6, fos. 94d-95.

Morris's unpopularity in the island had made him particularly vulnerable to such attacks, and he rightly felt that he was unfairly treated by the British government and left to the mercy of his enemies. 'Is this my Lord treating me with Common Justice?', he asked Germain.⁷⁰ But his pleadings went unnoticed. Michael Keane with the assistance of Messieurs Fraser, Baillie, and William Wynne, the King's Advocate and father of Robert Wynne, Member of the Council of St. Vincent, successfully secured the Governor's recall in August 1778 on charges of mal-administration;⁷¹ but Morris remained in his government and was captured by the French in July 1779. Lord Germain did not raise a finger to secure his release; but instead he ordered him to return to England immediately upon his release. Morris ignored this, and after he was freed he went to Antigua to see about his property. This brought a severe reprimand from Germain: 'I think it proper to acquaint you that if you do not without further delay return to England, I shall receive his Majesty's pleasure for removing you from His Services'.⁷²

Morris's return to England did not end his problems. Because of debts he had incurred in defending St. Vincent, he was imprisoned for nearly five years, and was forced to sell his valuable properties in Antigua

⁷⁰Morris to Germain, 27 March 1779. *Ibid.*, fo. 72.

⁷¹Germain to Morris, 5 August 1778. C.O. 260/5, fos. 199-199d.

⁷²Germain to Morris, 3 May 1781. C.O. 260/6, fos. 157d-158.

and England. Some of his bills were only paid in 1789, after his death. Ragatz concludes that the treatment of Morris 'was one of the most disgraceful episodes in West Indian History'.⁷³ But of greater significance, Morris's failure illustrates the immense power which the colonists in St. Vincent had obtained over a Governor who received no help from London. For three and a half years Morris pleaded for instructions which he never received. His downfall resulted from his determination to implement the Royal Instructions, and to maintain the Imperial interests in a colony where the differences between these and local ones could not be easily overcome by the personality and character of a Governor. Morris might have lacked the political astuteness and administrative skills of his contemporary Lord Macartney, but he did his duty and fought to uphold the prerogatives of the Crown as he understood them.

The widespread opposition to the Imperial government was also evident in Grenada. Here, as in the other islands, the economic decline of the island had developed some support for the Americans in the Assembly, and here too the colonists were afraid of losing their civil liberties.⁷⁴ Of this support for the rebels, Lord Macartney wrote:

With regards to our own islands, I need not mention the strange mixtures of people & Complexion which the Inhabitants are

⁷³Ragatz, *The Planter Class*, Note 3, p. 156; see Waters, *Morris*, p. 74.

⁷⁴De Ponthieu to Wilkes, 10 October 1769. Add. MSS. 30,870, fos. 204-205.

composed of - Your Lordship knows that above half of Grenada and the Grenadines are French. There is also a considerable Number of French in Dominique and St. Vincent. These together with the Americans of whom there are a great many scattered thro' our West Indies, are certainly not well affected to us. I have often had reason to suspect that they convey intelligence to the Rebels⁷⁵

The first signs of opposition in the Assemblies were treated differently by the Governors. Those administrators, such as Lord Macartney who seemed to have understood the political viewpoint of the colonists and the reasons for their attitude towards the British government, interfered as little as possible with the internal affairs of the Assembly. On one occasion, however, Macartney dissolved that of Tobago for passing resolutions sympathetic to the Americans.⁷⁶ This decisive action was successful, and the Assembly remained practically free of political strife for the remainder of the War. Nevertheless, Macartney was a competent Governor whose social position served him well during those trying years. By adopting a more moderate policy, Macartney's administration was not faced with as many crises as those of the other Governors.

Just before his arrival in Grenada, the Assembly had passed a petition to the King at the end of May 1775, expressing the fears of the planters if the American commerce with the West Indies were prohibited. Like all the petitions sent to the King from the West Indian

⁷⁵Macartney to Germain, 22 October 1777. C.O. 101/21, fo. 66d.

⁷⁶Macartney to Germain, 12 February 1777. C.O. 101/20, fo. 99d.

Assemblies during this period, this one protested the colonists' allegiance to the Crown, and called for unity among the different parts of the British Empire. The petition dealt in some detail with the economic reasons for satisfying the American claims, in the interest of the planters who depended on the American colonies. The House also pointed out that any termination of American-West Indian trade would cause severe scarcity and increased costs of running the plantations, which would ultimately ruin the planters. But apart from the economic reasons, the Assemblymen were also moved by their political and social ties with the Americans to ask the King to use his constitutional power to terminate the conflict between Parliament and the American colonies.⁷⁷

When Lieutenant-Governor Sir William Young heard of the address on his return from a visit to St. Vincent, he opposed its pro-American sentiments, and called on the Assemblymen to rescind their address and minutes in support of the Americans, before any other business was undertaken in the House.⁷⁸ As in the case of the Barbados Assembly, that of Grenada viewed Young's request as an attack on its 'Parliamentary' privilege. At its meeting on 26 June 1775 the door of the House was locked and the key placed on the table. Then the Assembly

⁷⁷Address of the Assembly of Grenada and the Grenadines to the King, 13, 26 June 1775. C.O. 101/18, Part I, fos. 179d-180.

⁷⁸William Young to the Assembly in Journal of the Assembly of Grenada, 26 June 1775. C.O. 104/2, fo. 89d (hereafter cited as J.A.G.); see William Young to the Earl of Dartmouth, 26 June 1775. C.O. 101/18, Part I, fos. 176-176d.

unanimously resolved that it was 'no less astonished than alarmed to find that the Exercise of one of the most acknowledged and Indisputable rights of the Subject, that of Petitioning the Sovereign for the Redress of Evils' should be opposed. It further resolved that Young's request to the House to rescind its minutes was 'a very Extraordinary and Unheard of Exertion of Power' which, if obeyed, would destroy 'every Idea of Freedom of Conduct & Debate which are not only the inconvertible right of the House of Representatives but Essential to the Welfare and good Government' of Grenada.⁷⁹ To destroy the pro-American party which he viewed as a threat to peace, and as a warning to other Assemblies in the ceded islands, Young dissolved the Grenada House.⁸⁰ Five members of the Council who supported the address were also suspended. In their place, before returning to England, Young appointed five others who accepted that Britain had supreme constitutional authority over the colonies.

This was a sensitive question in the West Indies. The new governor of Grenada, Lord Macartney, stated as had Valentine Morris, that since the Governor's successor in the event of sudden death was not 'the most loyal or most capable', but the senior member of the Council, the names of all candidates for public office in the colonies should be forwarded to the Governors for their approval. This was even

⁷⁹J.A.G., 26 June 1775. C.O. 104/2, fos. 91d-92.

⁸⁰Young to Dartmouth, 26 June 1775. C.O. 101/18, Part I, fo. 176d.

more necessary as it was 'possible in times like these when a latitude of opinion relative to the authority of Great Britain over its dependencies is entertained by many, that the Administration of a remote Colony might fall into improper hands'.⁸¹

Macartney was faced with other problems. One of his first recommendations to the Grenada legislature was the passage of an acceptable militia bill. He therefore got the Council to frame and pass one.⁸² However, a majority of the inhabitants, both French and English speaking, opposed the measure, as well as the creation of a militia force. Four petitions from different parishes were sent to the House objecting to the passage of the proposed bill. One from the residents of St. George presented by the former Speaker, Alexander Winniett, claimed that such a law would bring no benefits to the colony, that a militia force was unable to defend the island, and therefore its defence must rest on the British Navy. They further contended, as the Jamaicans had done, that the inhabitants were being asked to sacrifice more than they would gain. The absence of the tradesmen, managers, and other white employees from the estates subjected the women and children to slave attacks. Furthermore, the cost of service to the ordinary planter was equal to a heavy tax imposed on 'a Colony already involved in multiplied distresses'

⁸¹Macartney to Germain, 18 June 1776. C.O. 101/20, fos. 21d-22.

⁸²Macartney to Germain, 20 June 1776. *Ibid.*, fo. 18.

from the War. Other objections were that the proposed bill had no safeguards to uphold the 'Natural Liberty of the Subject', and a militia composed of French and English speaking peoples would inevitably produce 'infinite confusion, Jealousy and Discontent'.⁸³

Two similar petitions, from the residents of St. John, presented by Etienne Molinier, and from the freeholders of St. Andrew, delivered by William Johnston, were read at the Bar of the House.⁸⁴ Another from St. David made a detailed study of the shortcomings of the bill. In addition to the objections raised by the other petitions, this called for its publication in French and English. One of the arguments against the measure was that it would serve none of the purposes for which it was intended. For example, the time for training the men was too short to equip them with any degree of military skills. The residents of St. David also opposed the militia bill on moral and political grounds. To them, any form of military service was inconsistent with human rights and should be adopted only in extreme circumstances. Likewise, as the need for a militia bill arose as a result of the American War, it was unacceptable to a majority of the white people, or so they maintained.

After the third reading of the militia bill, a motion calling for its committal was defeated by a vote

⁸³J.A.G., 17 September 1776. C.O. 104/2, fos. 109-110.

⁸⁴*Ibid.*, fo. 110d.

of eleven to two.⁸⁵ Another attempt by the Council to frame a bill acceptable to the Assembly failed.⁸⁶ These early setbacks did not dampen Macartney's unceasing quest for such legislation. The Governor was rightly described by a contemporary as being of a 'cool and composed' nature, with a clear understanding of the art of conciliation.⁸⁷ After France declared war in August 1778, he was able to persuade both Houses to pass a militia bill,⁸⁸ but he later found it difficult to establish a well-trained militia force for two main reasons. First, both the French and English refused to cooperate, as he explained:

The French of every denomination and color are totally disaffected, and according to the best of my observation, incapable of any attachment to us - Of our own people, the leading and most respectable Gentlemen possess strong principles of honor, loyalty and public spirit, but the meaner sort composed of Overseers, Clerks, low planters, and Tradesmen [certainly the majority of the white population in the West Indies] are a mere Banditti, averse to all order, discipline, and obedience, turbulent, mutinous and impertinent of any restraint whatsoever.⁸⁹

Secondly, under the militia law, the Governor was unable to curb the growing disobedience and disorderly behaviour among the militiamen. The same situation was evident in the other islands, and although Macartney had

⁸⁵*Ibid.*, fos. 110d-112d.

⁸⁶Address of the Council of Grenada to Lord Macartney, 24 June 1777. C.O. 101/20, fo. 111d.

⁸⁷Senhouse, 'Diary, Vol. I', compiled by Sr. H.F. Senhouse. Rhodes House Library, MSS. W. Ind. r.5, p. 302.

⁸⁸Macartney to Germain, 2 August 1778. C.O. 101/22, fo. 102.

⁸⁹Macartney to Germain, 10 January 1779. C.O. 101/23, fos. 58-58d.

punished a few of the culprits, the conduct of the majority was overlooked, since excessive severity would have exasperated the planters, thus creating an even greater unwillingness among the remainder to defend the island. The Militia Act had contained no Articles of War for dealing with deserters, and he could not have enforced any penalties without legislative authority which he had no hopes of securing.

Like the other Assemblies in the British West Indies during this period, the attitude of that in Grenada was influenced by the progress of the American War and the fortunes of both sides. The heated debate between the Council and Assembly in April 1778 over the mode of taxation in a new levy bill was a reflection of the difficulties many Governors faced. Some areas of agreement had been reached; but Macartney expected the debate to continue as the majority for the bill was small, and was likely to change because of the reports reaching Grenada from America. The defeat of General John Burgoyne at Saratoga in October 1777, for example, 'had a considerable influence on the minds of many' delighted with the rebels' successes; while those who supported Britain were disheartened, and therefore both groups did nothing. 'Indeed it is to be feared', he wrote,

that what passes in America may be found too sure a Barometer, to know the future temper of the West Indies by Numbers of people in this Island have formerly lived in America & imbibed no small portion of her levelling spirit, others have from long residence in this Climate contracted an insolent Creolian Cast, which tho' easily

irritated to do mischief is seldom to be aroused to do good.⁹⁰

Although the American War had influenced the West Indian colonists to oppose their Governors more than before, the economic conditions of the islands had made it virtually impossible for the Assemblies to raise any large sums of money. The difficulties of Hay, Cuninghame, Dalling and Morris have already been discussed. Lord Macartney found it no easier. In 1778, for example, when an attack on Grenada seemed imminent the Assembly voted £600, a negligible sum, to provide 150 Negroes for 21 days to dig trenches, transport cannons, and to build barricades.⁹¹ But as the money was to come from the following year's supplies, Macartney had to borrow the money on his personal security, and draw his bills upon the Lords of the Treasury. In October 1778 when the island was again threatened by the French, the House empowered him to spend another £15,000 on his own security.⁹² However, unlike the case of Valentine Morris, Macartney's bills were honoured by the Treasury on Lord Germain's recommendations. Why one Governor was allowed to draw his bills on the Treasury without first being authorised, and the other allowed to die bankrupt for doing the same thing, cannot be determined by any available evidence.

⁹⁰Macartney to Germain, 10 April 1778. C.O. 101/21, fo. 178d.

⁹¹Lord Macartney to the Assembly, 16 May 1778. *Ibid.*, fos. 223-223d; Address of the Assembly to Lord Macartney, 16 May 1778. *Ibid.*, fos. 223d-224.

⁹²Assembly's Address to Lord Macartney, 10 October 1778. C.O. 101/22, fos. 168d-169.

The apparent readiness of the Grenada Assembly to appropriate money for defence purposes was only superficial. Macartney found 'that the majority of the colonists composed of English, Scots, Irish, French Creoles and Americans ... heated by various passions and prejudices far beyond any European Idea' were sympathetic to the rebels' cause.⁹³ Even though he had struggled to understand the viewpoint of the colonists, and to live in harmony and peace with them, he had 'experienced many ugly scenes'. He recognised that the economic decline of Grenada had contributed to the planters' unrest:

Most of the Members of the Assembly with whom the money bills originate, are more embarrassed in their Circumstances, and are rather to be considered at present as Stewards and Managers for the Mortgagers in London and Holland, than as the real owners of the estates they possess. It is to be hoped that the greater part of these Gentlemen will be able to surmount their Difficulties, but many must inevitably sink under them in a short time.⁹⁴

The Assemblies of the ceded islands, like those of the older ones had successfully contested important issues during the American War. The advent of this conflict had inspired the West Indian Assemblies to refuse to pass militia laws which impinged upon the liberty of the colonists, by placing too much power in the hands of their Governors. Perhaps, they feared that the militia might have been used in America, but though there is no evidence for this suggestion, the Assembly of St. Vincent

⁹³Macartney to Germain, 25 October 1778. *Ibid.*, fos. 155-155d.

⁹⁴*Ibid.*, fos. 157d-158.

did limit the distance to which the militia could be sent. There was no likelihood of armed rebellion in any of the British islands, but it is evident that the colonists were determined to reduce the Governors' executive powers. Most political issues of the period were common to all the British Caribbean colonies, and almost all the Assemblies handled them in similar ways. However, the Jamaica Assembly was the only one to gain full control over the declaration of martial law, and to establish an independent judiciary. In the field of finance, most Assemblies gained control over issuing the public monies, and even when this power was left in the hands of the Governors and Councils, the Assemblies insisted that they should examine all accounts before payments were made.

CHAPTER VIII

POLITICS IN THE LEEWARD ISLANDS 1769 - 1782

Although on the outbreak of the American War of Independence the West Indian islands remained loyal to Britain in principle, they had nevertheless shared in the political experience which characterised the ideological and constitutional development of the American colonies. For example, the reaction of the colonists in St. Kitts and Nevis, two of the Leeward Islands, to the Stamp Duty paralleled that of those New England colonies where the stamp paper was destroyed by mob riot. Officers appointed to distribute the stamps in those islands were forced to renounce their positions.¹ Likewise, St. Kitts shared many of the grievances of the mainland colonies, and these surfaced in different ways during the 'sixties and 'seventies right down to the termination of the American War.

In St. Kitts, as in Barbados and Jamaica, there were two political groups in the Assembly - a majority and minority party. The former was led by John Stanley, a young lawyer, who was a supporter of Wilkes and in conjunction with another lawyer John Gardiner began a subscription in aid of the London radical. Stanley had

¹Whitson, 'The Outlook of the Continental American Colonies'. *P.S.Q.*, Vol. XLV, p. 77.

also publicly supported an armed uprising in Britain.² His leadership of the majority party and his influence with Governor William Woodley made him a powerful individual, enabled him to infiltrate his supporters into the judiciary, and to use the courts to intimidate his political opponents. One contemporary wrote that Stanley

in pursuance of his scheme of independency, made cobwebs of such British Acts of parliament, as have been made to secure the commerce of the colonies. And so extraordinary have been the decisions he has gained, for our judges are positively only his mouth to pronounce his sentence.³

In the West Indies, as in America, the Assemblies served as the clearing-houses for political opinion in a way which tended to unify the thinking of the colonists who by using British Parliamentary precedents developed the Assemblies along the same lines as the House of Commons. At the beginning of 1776, for example, the majority party was instrumental in passing a resolution excluding the members of the Council from voting in elections. However, the Councillors adopted their own resolution upholding their right to vote under the Elections Act of 1727.⁴ The Act had already prohibited the chief justice

²James Ramsay to Bishop Terrick, 29 June 1771. Lambeth Palace Library: Fulham Papers, Vol. XX, fos. 55-55d; John Gardiner to John Wilkes, 26 March 1769. Add. MSS. 30,870, fo. 133.

³Ramsay to Terrick, 29 June 1771. Lambeth Palace Library: Fulham Papers, Vol. XX, fo. 55; see the Memorial of Edwin Thomas to the Judges of the Court of King's Bench, 1 July 1769, in *Caribbean and General Gazette* or the *St. Christopher Chronicle*. *Ibid.*, fo. 17; Edwin Thomas to William Carr, 26 July 1769. *Ibid.*, fo. 18; 'In His Majesty's Court of King's Bench and Common Pleas, 9 October 1769. *Ibid.*, fos. 25-26.

⁴William Woodley to the Earl of Hillsborough, 7 February 1769. C.O. 152/31, No. 10.

of the court of common pleas and king's bench, the barons of exchequer, the secretary and his deputies, the provost marshal and his deputy, and the treasurer from participating in elections.⁵ Consequently, the exclusion of the Councillors from voting was one more step in the Assembly's search for full Parliamentary government, and it justified its policy on the grounds of maintaining the constitution of St. Kitts based on the British model

of King, Lords and Commons; there is the very texture of this Constitution, implied and interwoven; such a Political Disability of their voting, as without which; our Independence of Council would be Annihilated, and there would maintain to us the meer Semblance of a Separate and distinct Branch of the Legislature.⁶

It is doubtful whether any American or West Indian Assembly had previously disfranchised the members of the Council, and therefore that of St. Kitts had no colonial precedent on which to base its action. But this particular measure was a significant one in colonies where one vote, that of a Councillor, usually decided the elections of many Assemblymen. This certainly gave the Council a greater influence in colonial politics than is usually recognised. The dispute over the Assembly's resolution was not settled, and at the October elections in 1769 the Honourable Samuel Crooke's vote elected Alexander Douglas, John Julius and James Akers. the Members for the parish of St. Mary. They were therefore sequestered from the House until the Committee of

⁵Clarke, *Parliamentary Privilege*, p. 160.

⁶Address of the Assembly of St. Kitts to Governor Woodley, 28 June 1770. C.O. 152/31.

Privileges and Elections examined the returns. The situation was further complicated by the resignation of James Smith, one of the members of Christ Church Nicola Town, who was elected without his knowledge or desire. A new writ was issued and William Burke, a supporter of the majority party, was elected and seated in his place.

The decision to investigate the elections in St. Mary was challenged by seven members - Aretas Akers Sr., William Wharton, Joseph King, Anthony Bryan, William Feuilleteau, Christopher Mardenborough, and Henry Seaton - who later became identified as the minority party, and who left their seats and the House in defiance of the Speaker John ^FTahie's order. Consequently, James Saint John, Sergeant-at-arms, was instructed to arrest the seven men on charges of contempt of the House.⁷ The departure of such a large number of representatives left the Assembly short of a quorum. The remaining members therefore voted unanimously to seat John Garnett, William Garvey, and John Tyson⁸ who later became Speaker, assistant-judge of the court of common pleas, and was a close friend of Curson and Gouverneur, the American Agents who resided at St. Eustatius during the War, as the Representatives for St. Mary.⁹

John Gardiner who now severed his relationship with the majority party acted as counsel for the seven

⁷J.A.S.K., 24 October 1769. C.O. 241/14.

⁸J.A.S.K., 4 November 1769. *Ibid.*

⁹Wilkes to Curson and Gouverneur, 23 January 1781. C.O. 239/1, fo. 211.

Members, and unsuccessfully applied to Chief-Justice Craister Greatheed, President of the Council of St. Kitts, for writs of habeas corpus for the release of the men on the plea that the Speaker's warrant for their arrest was illegal. But Greatheed, who was later commended by the remaining members, upheld the Assembly's argument that it was the sole judge of its rights and privileges to take disciplinary action against its members. This was one of the many rights claimed by the colonial Assemblies prior to the American Revolution,¹⁰ and it is doubtful whether this was challenged in the courts before this incident. The seven members were called to the bar of the House where they were accused of discrediting the Assembly by submitting its proceedings to an inferior court of judicature;¹¹ but as they refused to apologise, they were expelled. The American and West Indian Assemblies had always considered themselves as courts, and had carried out judicial and appellate functions. Around the same time, the Jamaica Assembly, for example, rejected the idea that it had no judicial power.¹² Furthermore, Attorney-General Thomas Warner supported the St. Kitts Assembly's stand on all points, except its resolution disfranchising the Councillors.¹³

¹⁰ See Clarke, *Parliamentary Privilege*, Chapter V.

¹¹ J.A.S.K., 4 November 1769. C.O. 241/14.

¹² Clarke, *Parliamentary Privilege*, pp. 28-29.

¹³ 'The Opinion of Mr. Warner upon the Petition and remonstrance of Seven Members of the Island of St. Christopher', 11 December 1769, in J.A.S.K., 2 March 1770. C.O. 241/14.

The dispute between the two groups in the House had split the St. Kitts society into two warring factions. Though an appeal from Gardiner to Woodley for writs of habeas corpus was turned down, the Governor made a personal plea for moderation and clemency. His decision to stay out of the dispute, probably because he believed in the separation of powers doctrine, was an acknowledgement of the rights of the House to discipline its members, as well as to resolve its internal problems. While promising to consider the Governor's request, the House informed him that it was 'Accountable to none for ... [its] parliamentary Conduct.' Nevertheless, as the Assembly was aware of the political implications of its resolution, it called for an election on the issue so that the people could show their 'Candid and Impartial Judgement'.¹⁴

At new elections for those parishes from which the seven members were expelled, some Councillors, including Craister Greatheed (Saint Peter Basseterre), Samuel Crooke and John Estride (Christ Church), voted to test the validity of the resolution prohibiting them. According to the Elections Act of 1727, Greatheed should not have voted. The Councillor's names were removed from the returns; but the seven members who were re-elected, and summoned to take their seats, refused to do so while Burke, Garvey and Tyson remained Members.¹⁵

¹⁴J.A.S.K., 9 November 1769. *Ibid.*

¹⁵J.A.S.K., 22 November 1769. *Ibid.*; 'The Petition of William Wharton, Joseph King, William Feuilletau, Aretas Akers, Christopher Mardenborough Sr., Anthony Bryan and Henry Seaton to His Excellency William Woodley' (no date - December 1769), in J.A.S.K., 2 March 1770. *Ibid.*

The dispute in St. Kitts had reached an alarming situation. Anyone who was critical of the proceedings of the Assembly was arrested and imprisoned, or severely reprimanded. Gardiner who had publicly declared that the majority party did not constitute a legal House, that its proceedings were falsified and the publications of its minutes was unconstitutional, was arrested and imprisoned for contempt of the privileges and authority of the House, 'tending to no less than the Subversion of the Constitution of St. Kitts'.¹⁶ Following his release, Gardiner filed suits against Saint John, and Henry Berkeley, the Provost Marshal, for trespass, assault, and false imprisonment, on behalf of himself and the seven dissident members. He was again arrested and imprisoned for violating the privileges of the House. Greatheed complied with an order of the Assembly to discontinue all suits against both men who were released with costs.¹⁷ Greatheed's role in this dispute was certainly equivocal. While supporting the Councillors by voting, he continued to uphold the Assembly's right to control its internal affairs.

The proceedings of the House reflected 'the flame of Discontent' which was infused into the minds of a majority of the inhabitants influencing many to commit acts of violence.¹⁸ Essays published in the *Caribbean*

¹⁶J.A.S.K., 9 and 22 November 1769. *Ibid.*

¹⁷J.A.S.K., 30 March 1770. *Ibid.*

¹⁸'The Humble Address of the Freeholders and Principal Inhabitants of the Parishes of Saint John Capisterre, Saint Paul's Capisterre and Saint Ann's Sandy Point' to the Assembly, 21 November 1769. *Ibid.*; Woodley to Hillsborough, 25 April 1770. C.O. 152/50, fo. 31.

Gazette by Edwin Thomas, Rector of St. George and St. Peter Basseterre, and James Ramsay, Rector of Christ Church Nicola Town and St. John Capisterre, demonstrated the deep split among the inhabitants. Thomas, writing under the pseudonym 'Publicola', was actively engaged in the Elections of 1770, in opposition to the majority party. He accused Stanley and his group of suspending the laws of St. Kitts; of 'dispensing tumult, discord and confusion' throughout the entire island; of attempting to enslave the white people who opposed his party, in order to maintain their 'inherent and natural, as well as civil right', of using the courts to suppress their political opponents by imprisoning them, and of claiming that the colonial Assemblies were 'invested with all that plenitude of Supreme, uncontrollable, and infinite power'.¹⁹

Even Governor Woodley was not immune to attacks by the clergy. He was accused of aiding the majority party whose goal, according to Ramsay, was 'independency upon the Crown of Great Britain'²⁰ Complaints were also voiced against Woodley's dismissal of competent officers of the militia, and their replacement with unqualified persons whose only abilities were their

¹⁹Publicola to Brother Freeholders, and Fellow Citizens of St. Christopher, in the *Caribbean Gazette*. Lambeth Palace Library: Fulham Papers, Vol XX, fo. 31d; see 'To the Majority Dauber in Thibou's Paper of November 21st', in *Caribbean Gazette and St. Christopher Chronicle*. *Ibid.*, fo. 33d; 'To Thibou's Sham Freeholder' (no date), in *Caribbean Gazette*. *Ibid.*, fo. 32.

²⁰Ramsay to Terrick, 29 June 1771. *Ibid.*, fos. 55-55d.

known party affiliations.²¹ Although Woodley might have relied too much on the support of the majority party to get his policies through the House, he had no choice but to follow Warner's advice on the controversial election resolution. However, because of his inability to handle the political crisis in St. Kitts, he was given leave of absence to return to England in July 1770. Lieutenant-Governor Richard Hawkshaw Losack now assumed command of the government.²² He immediately reported the dispute to London, and pointed out that in the Leeward Island Assemblies, there was a 'growing Disposition ... to extend their privileges beyond what ... is consistent with the Nature of their Establishment, and the intentions of Government'.²³

These intentions were never spelt out; but 'the document creating or authorising an assembly was intended, no doubt, to provide for a body similar to a municipal council with legislative powers of very limited and purely subordinate type.'²⁴ Nevertheless, in spite of the desire among some British officials to restrict the political development of the colonists, very little was, or could have been, achieved because the Assemblies modelled their proceedings on the example of the House of Commons. Furthermore, the colonists denied that

²¹'Mr. Howe', in *Caribbean Gazette*, 12 December 1770. *Ibid.*, fo. 39d.

²²J.A.S.K., 8 July 1770. C.O. 241/14.

²³Richard Hawkshaw Losack to the Earl of Hillsborough, 27 April 1771. C.O. 152/50, fo. 31.

²⁴Clarke, *Parliamentary Privilege*, pp. 14-15.

Parliament or the Crown had unlimited authority over the colonies. Some Assemblymen even called their legislature 'Parliament'.²⁵ The doctrine of co-equality of status between the House of Commons and the Assembly of St. Kitts was frowned upon by the new Governor Sir Ralph Payne. In hearing an appeal before the court of errors, Payne rejected the idea that the Assembly could 'exercise any jurisdiction or Right of Punishment or Distrain of any Persons whatsoever, excepting causes of Self-Defence where the Peace of the Assembly was invaded or violated'.²⁶ However, his ruling was broad enough to allow the House the very rights which they claimed, and he sought to deny.

Each succeeding election brought deeper rifts among the inhabitants, and were accompanied by 'Acts of Violence'. Losack therefore sent a despatch to the Earl of Hillsborough, Secretary of State for the Colonies, requesting a ruling on the Assembly's resolution to terminate the constitutional crisis.²⁷ The Privy Council upheld the right of the members of the Council to vote under the provisions of the Elections Act,²⁸ and an additional instruction aimed at curbing the power of the judges and the Assembly of St. Kitts was sent to Payne. He was directed 'to keep the Assembly...more within the legal bounds of a Provincial Council, and to hinder them from usurping authorities, inconsistent with the peace and

²⁵J.A.S.K., 9 November 1769. C.O. 241/41.

²⁶Sir Ralph Payne to the Earl of Dartmouth, 26 January 1773. C.O. 152/53, fo. 5d.

²⁷Losack to Hillsborough, 11 December 1770. C.O. 152/31, No. 8.

²⁸The Privy Council to the King, 6 June 1771. C.O. 152/51, fo. 98d.

good government of the said island',²⁹ but this only worsened matters.³⁰ The disputes continued. The names of Councillors who voted were removed from the polls, and other members were seated in the place of those elected.³¹

The instruction prohibiting the disfranchisement of the Councillors was immediately tested in Nevis where the Assembly expelled two of its members, shortly before the close of its session in 1773. Although Payne drew the Speaker John Ward's attention to the issue, the expiration of the House at that critical moment terminated the possibility of a crisis.³² Meanwhile, in St. Kitts, Aretas Akers Sr. made his peace with the majority party. In April 1773 he took his seat in the House as the Representative for Christ Church,³³ and later became Speaker of the Assembly and one of Governor Burt's chief opponents.

Shortly before the outbreak of the American War of Independence, therefore, 'the two contending Parties [in St. Kitts] existed with all imaginable fury of opposition to each other'.³⁴ Similarly, 'the feuds ... which had prevailed between the two Houses of the Legislature ... had extended to the Subversion of all Society,

²⁹*Journal of the Board of Trade*, pp. 302-303.

³⁰Payne to Dartmouth, 26 January 1773. C.O. 152/53, fos. 5d-6.

³¹Petition of James George Verschild and William Hunt to the Assembly, in J.A.S.K., 20 January 1772. C.O. 241/14.

³²Payne to Dartmouth, 23 July 1772. C.O. 152/53, fos. 90-90d.

³³J.A.S.K., 7 April 1773. C.O. 241/14.

³⁴Payne to Dartmouth, 1 March 1773. C.O. 152/53.

Order, and the public Business'.³⁵ Payne's efforts to settle the dispute were only partly successful.³⁶ The outbreak of the War renewed the spirit of the colonists who, although not involved in the fighting, were influenced to fight to retain their legislative rights and privileges which gave them a sense of importance and political independence.³⁷

The political theories held by the Americans during the eighteenth century were also common to the West Indians. Such terms as the '"Constitution", even "glorious constitution, grand inquest of the country, ancient and undoubted rights and privileges of the assembly"',³⁸ and the inherent right of the House to impeach any person or persons in the colonies were some of the expressions used in defining the role and authority of the colonial Assemblies.³⁹ The attempts of the Imperial government to interfere in the internal affairs of the American colonies were closely followed by the West Indians. Therefore, once War was declared, the Assemblies of the various Caribbean islands used every possible means to gain more control of key parts of their domestic affairs.

As in the other islands, one area of government

³⁵Payne to Dartmouth, 6 October 1773. C.O. 152/54, fos. 1d-2.

³⁶Payne to Dartmouth, 12 January 1775. C.O. 152/55, fo. 2d.

³⁷Ramsay to Terrick, 29 June 1771. Lambeth Palace Library: Fulham Papers, Vol. XX, fos. 55-56.

³⁸Clarke, *Parliamentary Privilege*, p. 263.

³⁹Extract of Minutes of the Assembly of Montserrat, 17 October 1770. C.O. 152/51, fo. 76d; for a good example of impeachment proceedings in a colony, see fos. 35-68, 71, 81-81d, 86d, 90, 94d, 107.

which the Leeward Islands Assemblies now tried to usurp was the issuing of all public monies. Early in 1776 the Council and Assembly of St. Kitts adopted a resolution to examine all accounts before they were paid by the Treasurer. A few days later, the Council resolved that no 'mattrosses' accounts would be settled unless signed by their superior officers who were required to submit to the Governor a certified list of all employees in the forts once every six months. Each captain was also instructed to send to the Council an affidavit stating that he received no emoluments from the salary of any employees. Furthermore, the Treasurer was ordered to pay only those accounts which conformed to the orders embodied in the resolution.⁴⁰

Likewise, whenever the Assembly of St. Kitts, like those of other islands, was requested to raise money, it was placed under the control of commissioners appointed by the House which insisted that the money should be spent only for that purpose for which it was raised. Under this policy, all bills were meticulously examined before the smallest account was paid. Those which were considered too high, or those for work which the House did not initiate, were rejected. Even though the Governor was still allowed to issue warrants for the payment of bills these had to be checked by the commissioners. Consequently, the executive functions of the Governor in this field were gradually chipped away.

⁴⁰ Minutes of the Council of St. Kitts, 4 April 1776. C.O. 241/12.

A good example of this encroachment occurred in St. Kitts during the American War, and led to a further constitutional crisis in that island.

In March 1778 when an Anglo-French War seemed imminent, William Mathew Burt, Governor since 1777, summoned a joint meeting of the Assembly and Council, and pleaded with them to undertake the extensive repairs needed to make the fortifications serviceable. His request was certainly not unreasonable. Like Dalling, he was sympathetic to the planters' economic plight: 'I fear not too much will or Can be obtained: I have ordered Estimates to be made of the Expence; but at the Price every Material now Sells, it will require Five Hundred Pounds to accomplish the Work which £150 would have done from 1772 to 1775'.⁴¹

But the Assembly only promised to consider his recommendations, and to carry out the necessary repairs if it were satisfied that they could be done 'without Oppression to Our Fellow Subjects'. It is very likely that the Assemblymen were acting on the wishes of their constituents. They also commended Burt for unilaterally reducing the fees of Chancery which were severe burdens to the planters.⁴² After touring the three main forts - Brimstone Hill, Charles Fort, and Fig Tree Fort - in the middle of June, Burt presented his estimates to a joint meeting of the Council and Assembly. He also informed

⁴¹Burt to Germain, March 1778. C.O. 152/57, fo. 247.

⁴²Address of the Assembly of St. Kitts to Governor Burt, 6 March 1778. C.O. 241/12; Assembly to Burt, March 1778. C.O. 152/57, fos. 254-255.

the House that he had purchased, with his own money, a quantity of lumber at only £7. 10s., instead of £30. per thousand feet from a Norwegian vessel which had stopped at Sandy Point, with the hope that the House would reimburse him. But this was a ticklish arrangement as Burt himself noted: 'Mr. Clifton & Mr. Akers the late Casual Receiver the first noted for his attachment to the Americans with four or five more do their utmost to Prevent any Supplies & to retard this Service'.⁴³

Dr. Benjamin Clifton was formerly a friend of Stanley,⁴⁴ but it seems that he supported Aretas Akers in the election dispute.⁴⁵ In eighteenth century colonial politics, parties were often not clearly defined, and disputes among different factions were quickly forgotten when there was a common issue of greater political significance to the interests of the colonists. More often than not, this seemed to unify the Assembly as in the case of St. Kitts where the former arch-enemies now joined to oppose Governor Burt. Therefore, when the Council asked the House for its cooperation in repaying the Governor, the Speaker John Tyson replied that the Assembly would only consider 'what repairs may be necessary ... what sums ought to be raised in the present situation of this Island, for

⁴³Burt to Germain, 9 June 1778. C.O. 152/58, fo. 115d; Burt in Council to the Assembly, 6 June 1778. *Ibid.*, fo. 117.

⁴⁴Ramsay to Terrick, 29 June 1771. Lambeth Palace Library; Fulham Papers, Vol. XX, fo 56d; see also fos. 61-61d for Clifton's deposition in a complaint against Stanley.

⁴⁵J.A.S.K., 21 November 1769. C.O. 241/14.

Defraying the Charges and Expences of such repairs'.⁴⁶

This was a very ambiguous statement, and implied that the House was not referring to those expenses which Burt had undertaken on his own.

Any concession which Burt might have received from the Assembly was probably over-ruled when the members returned to the House. Burt blamed the mood of the Assembly on the influence of a powerful pro-American party which had a majority in the House. Besides Clifton, Tyson was a close friend of Curson and Gouverneur, and even received money for them from their debtors in St. Kitts.⁴⁷ In 1779 Tyson was suspended as an assistant-judge of the court of common pleas and King's bench for declaring in the case *Vanderpool vs Calhoun* (Vanderpool was the plaintiff in a bond debt), when he was informed that Burt had granted Vanderpool's appeal according to his 44th instruction, '"What do I care for a Royal Instruction, 'tis no Law; a Royal Instruction is nothing to me"'. Likewise, when a mandamus issued to a clergyman was being contested before the court, Tyson was also accused of saying '"Representation and Taxation went together"'.⁴⁸

Tyson's dismissal was unpopular, and almost led to the breakdown of the judiciary in St. Kitts. No one could be persuaded to accept an appointment on the court,

⁴⁶The Assembly of St. Kitts to Governor Burt, 12 June 1778. C.O. 152/58, fo. 123.

⁴⁷Wilkes to Curson and Gouverneur, 23 January 1781. C.O. 239/1, fo. 211.

⁴⁸Burt to Germain, 5 July 1779. C.O. 152/59, fos. 227d-228.

and on the death of Governor Burt in 1780, President Anthony Johnson re-appointed Tyson to his former position.⁴⁹ It has been demonstrated in Chapter III that many people in St. Kitts communicated and traded with the Americans during the War. No wonder Burt wrote: 'Was I, my Lord, to say we have not some American Partizans I should attempt to Act a Part foreign to my heart & deceive: Some we have', but these he dismissed as being neither opulent nor of any high social standing.⁵⁰ However, as in the case of Grenada, this group, consisting of the small planters, tradesmen, clerks, managers and merchants, might well have formed the majority of the white population.

The Assembly's refusal to raise money for the island's defence left Burt no choice but to work independently of the House, in the same way as Cuninghame had done in Barbados. With voluntary supplies, the aid of some Negroes and carts from a few parishes, and his own money, he built storehouses, and completed other repairs to the fortifications.⁵¹ He also prepared the island for a long siege of three months and more. For this, he constructed a roof on Charles Fort; built carriages for the serviceable cannons; and bought a quantity of provisions which he stored in Brimstone Hill Fort.⁵²

⁴⁹Anthony Johnson to Lord Germain, 13 May 1781. C.O. 152/60, fos. 93-93d.

⁵⁰Burt to Germain, 30 July 1778. C.O. 152/58, fo. 226.

⁵¹Burt to Germain, 22 November 1778. C.O. 152/59, fo. 22.

⁵²Governor Burt's Address to the Council and Assembly of St. Kitts, 9 September 1778. C.O. 241/17.

In his endeavours to do his duty, Burt had nonetheless made himself vulnerable by defying the resolution of the legislative bodies, and had shown that he had enough support in the island to work without the assistance of the House. This was a challenge to the Assembly's image of itself. However, everything would have gone well if the Governor were not forced to ask the House to reimburse him for his share of the cost of the work. Burt's dilemma arose because the Treasury (as the case of Valentine Morris had shown) was against honouring any bills for work which it did not authorise.⁵³

But instead of supporting the Governor, the St. Kitts Assembly, like that of Jamaica, contended that in spite of the island's contribution to the revenue of Britain, the government had done nothing to help defend the island.⁵⁴ This was a fair criticism, but the colonists were also guilty of neglecting their defences until they had achieved constitutional gains.⁵⁵ After France joined the War in 1778, an appeal from Burt to the House for money to complete the works which he had started was successful. In September the Assembly voted £600 to pay for the repairs to the forts and to erect new batteries.⁵⁶

⁵³ See Houston to Turner and Paul, 16 February 1778. Houston Papers: N.L.S. MSS. 8,793, p. 387; see p. 413.

⁵⁴ The Assembly to Burt, 16 July 1779. C.O. 152/58, fo. 275.

⁵⁵ The Address of the Assembly of St. Kitts to the King, September 1778. *Ibid.*, fos. 267-268.

⁵⁶ The Council of St. Kitts to the Assembly, 25 September 1778. C.O. 152/59, fo. 38.

Nevertheless, the bill contained two objectionable clauses. It placed the control of the forts in a joint committee of both Houses to the exclusion of the Governor, and it directed that all monies raised were to be spent by order of the commissioners who were to decide which batteries were to be repaired, and where new ones were to be built.⁵⁷ Though the Council considered the bill unconstitutional, it did not reject it; but requested a conference between the managers of both Houses to work out a compromise.⁵⁸ The Assembly in refusing this request contended that it could not surrender its rights by allowing the Council to amend money bills, and it pointed out that its policy was 'an invariable Rule of the Mother Country. On such Occasions the Upper House could only approve or reject money bills'.⁵⁹ The Council then voted unanimously to reject the bill.⁶⁰

The foundation for colonial political thinking as well as the precedents on which the political system was developed was based on the model of the British House of Commons, and moulded to fit the needs of the specific island and the different socio-economic classes which were the roots of West Indian society. Each colonial Assembly wished to control the executive power, and therefore, it is not surprising that all the West Indian

⁵⁷Burt to Germain, 30 September 1778. C.O. 152/58, fo. 262.

⁵⁸The Council to the Assembly, 25 September 1778. C.O. 152/59, fo. 38.

⁵⁹The Assembly to the Council, 25 September 1778. *Ibid.*, fo. 40.

⁶⁰The Council to the Assembly, 1 October 1778. *Ibid.*, fo. 48.

Assemblies, from Jamaica to Barbados, used the power of the purse to gain control of their defences, even though most governors retained the power to view the forts and to make recommendations to their respective Assemblies.

In St. Kitts, the House insisted, according to Burt,

that it had a right to appoint ... Committees to View, Examine, Report, Direct what works are to be done, what Carriages to be Repaired, what Buildings to be Erected, to receive Estimates for Contracts & in short that everything Relative to the Forts & Fortifications, except appointing the Gunners, is a Power vested in the House of Assembly Independent of the Governor & Council, & nothing is to be there done but what they approve of; this, my Lord, you are Sensible is a Privilege which the House of Commons of Great Britain never claimed & is contrary to His Majesty's 81 & 84 Royal Instructions: It is also an Usurped Privilege in times like these which might lead to the loss of his Majesty's Colonies.⁶¹

Burt was worried that St. Kitts could be lost to the enemy because of the American supporters in the Assembly who disrupted public affairs by their opposition. Like Morris who was at the same time facing similar problems in St. Vincent, Burt also complained that his instructions were disregarded by the Assemblymen who 'Publicly Declare they have nothing to do with his Majesty's instructions; they are not binding on them; nor will they pay any attention to them'.⁶² A representative group of colonists from Basseterre, the chief town, even drew up a document containing terms of capitulation in case of an invasion, and influenced a large number of the inhabitants to 'Stay at home each to defend

⁶¹Burt to Germain, 25 November 1778. *Ibid.*, fo. 22d

⁶²*Ibid.*, fo. 22.

his own house & Family, & to make the best Terms they can; that the Sovereignty of the Island is nothing to them if their Houses are burnt'.⁶³ No Governor could have tolerated such expressions of disloyalty, and although he realised that it was 'impossible to sweep the Augean Stable of them all',⁶⁴ Burt vowed to destroy the 'Gallo-American Principled Party'. Thus, he wrote: 'your Lordship may rest satisfied I will Eradicate these monsters or fall in the Contest'.⁶⁵

Burt had taken on a formidable task, and some of the policies he adopted, although partly successful in enabling him to put the island in a relatively good state of defense, did not win the hearts of the colonists, and did not prevent them from capitulating to the French early in 1782 while Governor Thomas Shirley was entrenched in Brimstone Hill fighting to repel the enemy's attack. These policies also made him unpopular and brought him into conflict with the Assembly, as well as with many of the merchants who were trading illegally with the Americans at St. Eustatius. In addition to the repairs which he had already undertaken on three of the forts, on the receipt of a letter from Lieutenant-Governor Stuart of Dominica reporting the capture of that island, Burt hurriedly purchased a quantity of military stores and provisions, and stored them in Brimstone Hill and Charles Fort. To pay for these, he drew his bills upon

⁶³Burt to Germain, 9 October 1778. C.O. 152/58, fo. 289.

⁶⁴Burt to Germain, 1778. *Ibid.*, fo. 277.

⁶⁵Burt to Germain, 25 November 1778. C.O. 152/59, fo. 21.

the treasury, and asked Lord Germain to recommend their payment.⁶⁶ Though Germain complied with the request, and commended Burt's actions in countering the Assembly's policies, he sent him a stern warning:

The expence which will be incurred in executing such necessary measures must finally fall upon the Assembly & altho' it is incumbent upon you to see that your Government & the Public Service should not suffer for the want of necessary Supplies, yet I cannot undertake to say that all Bills drawn for unauthorised Services will certainly be allowed at Home: The real necessity of Such Expenditure being their only justification.⁶⁷

Any decision that Burt should make would displease the British government or the Assembly of St. Kitts - for he was bound by his instructions on one hand, and restricted on the other by the refusal of the House to vote any money. But while he pondered over a solution to this impasse, another dispute erupted and complicated the already delicate situation. An extract of a letter from Antigua to Aretas Akers Sr. was read in the House on 27 October 1778. Akers was reliably informed that Burt had taken the advice of the law officers on the legal steps he could take to punish him for constantly opposing his policies, and for helping to frame the capitulation document. Burt also accused Akers and other Assemblymen of making treasonable statements, and it was rumoured in Antigua that they would be imprisoned, and

⁶⁶Burt to Germain, 4 October 1778. C.O. 152/58, fos. 281.

⁶⁷Burt to Germain, 7 June 1777. C.O. 152/56, fo. 108.

sent to England 'in irons'.⁶⁸

The House immediately went into a committee of the whole, chaired by William Wharton, a friend of Akers, to consider the implications of Burt's censure. After debating the issue, it passed three resolutions. The first two were unanimously adopted by the Assembly, while the third was passed by a large majority. The first resolution affirmed that freedom of speech was the inalienable privilege of the members of the Assembly. 'Any attempt to Subvert this Right' was 'a daring attack upon the liberties of the House, and a high infringement of the constitution of the Land'. Secondly, 'that any attempt of any person whatever to intimidate any Member from exercising this High and Ancient Privilege is exceedingly improper and totally derogatory to the Honour and Dignity of the House'. The third stated that any charge of disloyalty against any member was 'utterly Groundless and an injurious attack upon the Loyalty of the House'.⁶⁹ The resolutions were then published.

The receipt of the letter, and message from the Council censuring the House for the publication of its resolution reopened old wounds, and started a new round of conflict between both Houses. Charges and counter-charges were made continuously - each new one drawing both Houses further apart, thus placing Burt in an

⁶⁸ 'Extract of a letter from Antigua' to Aretas Akers, 27 October 1778. C.O. 241/11; Minutes of the Council and Governor, 3 November 1778. C.O. 152/59, fo. 26.

⁶⁹ J.A.S.K., 27 October 1778. C.O. 241/11.

embarrassing and vulnerable position. A request from the Council for the name of the author of the letter met with the accusation that it had encroached on the rights and privileges of the Assembly, which was only answerable to its members, its constituents, and future Assemblies, and it informed the Council that the freedom of the colonists and the development of a civilised society could only be guaranteed if the independence of both Houses of the legislature was inviolably preserved.⁷⁰

Burt now failed in an attempt to disqualify Akers from sitting in the Assembly, because the Elections Act of 1727 had disfranchised the provost marshal and his deputy.⁷¹ After investigating Akers qualifications, the Committee of Privileges and Elections, Chairman John Garnet Jr. ruled that he had not taken the oath of office of deputy provost marshal, and he was therefore entitled to sit in the House. It was ironic that the same man who had previously opposed the doctrine that the Assembly was the judge of all its internal matters was now protected by that very doctrine.

A request for a vote of credit was now turned down; but the Assembly agreed to pay all accounts which, in accordance with its resolution, were certified by both Houses for work done on the forts, and also to settle all expenses which it considered 'to have been actually accrued for the Benefit, Safety and advantage of the

⁷⁰ J.A.S.K., 1 December 1778. *Ibid.*

⁷¹ *Ibid.*

island'. The Council's criticism of the Assembly's attitude only aggravated the already tense situation, and brought a refusal from the latter to do any more business with the former unless it received an apology.⁷² This was not forthcoming, and to appease the Council Burt prorogued the House indefinitely. It was not convened until the middle of January 1779, but because of the lack of a quorum no meetings were held for some time afterwards. Further disputes between both Houses led to the dissolution of the Assembly. At the elections in March a majority of the old members was re-elected, and Tyson was again chosen Speaker. The House thus met the Governor later that month prepared for battle.

Burt's speech at the opening of the new session was aimed at appeasing the Assembly. He carefully outlined the work which he had done while the House was not sitting - the magazines were well supplied, but more powder was needed to prevent any scarcity; the serviceable guns were mounted on new carriages; the militia was properly armed and there was an adequate supply of spare muskets and small arms; storehouses were built and supplied; and several guard-houses were being erected. Burt had a right to be proud of his achievements. After all, he had done a lot of work without any financial help from the Assembly. However, to pay for these preparations, he drew bills on the Treasury despite Germain's warning, and spent some of his own money which he asked

⁷²J.A.S.K., 17 December 1778. *Ibid.*

the Assembly to refund.⁷³

Three weeks elapsed before the House finally prepared a reply which, though loyal and courteous, was vague, promising to implement his recommendations, after 'the Estimates of the unavoidable expenses already incurred were laid before it.'⁷⁴ Believing that an agreement had been reached, the Council requested the House to examine some provisions which were rotting in the storehouses, and to order their sale on behalf of the public.⁷⁵ The Assembly denied any knowledge of the purchase of the provisions, and it reiterated that while it was prepared to appoint its members to committees of both Houses when matters of 'national importance' were to be considered, it could not appoint a committee to inspect the provisions.⁷⁶ It was therefore no surprise that the House refused to pay for them.⁷⁷ The dispute over paying the Governor's bills resulted from the clash of two doctrines. On the one hand, the Governor was by his instructions responsible for the defence of the colony, and he rightly assumed that he could do repairs to the forts and other public buildings without the Assembly's approval. On the other hand, however, he was bound by financial reasons, as well as British policy, to ask the House to

⁷³Governor Burt's Speech to the Council and Assembly of St. Kitts, 25 March 1779. *Ibid.*

⁷⁴J.A.S.K., 13 April 1779. *Ibid.*

⁷⁵Burt in Council to the Assembly, 13 April 1779. C.O. 152/59, fo. 220.

⁷⁶J.A.S.K., 7 May 1779. C.O. 241/11.

⁷⁷The Assembly to Burt in Council, 2 June 1779. *Ibid.*

vote money to pay for the work. Once the Assembly was approached for money, it held that it had to be given a voice in which works were to be done. Consequently, it was difficult to see how agreement could be reached.

Following Burt's failure to reach a compromise with the House, the Council sent it a conciliatory message stating that it too was opposed to 'any undue Usurpation of authority or any infringement of a proper and Parliamentary Line of Conduct'; but it insisted that Burt's motives in purchasing the provisions were in the best interest of the island, and were made with 'Purity of Intentions attested to even by his enemies'.⁷⁸ The appeal was rejected. A committee chaired by John Thomas resolved that the Assembly 'never did bind themselves nor are they Bound, nor was the public faith, ever pledged for the payment of provisions' Therefore, despite the reasons which moved Burt to take such action, the Assembly maintained that to guarantee payment of Burt's debt would be to surrender its rights and privileges and to establish a precedent dangerous to the freedom of the people.⁷⁹ While the quarrel with Burt might have originated partly as a result of the sagging economic conditions of St. Kitts, it developed nevertheless into one in which the House saw itself as protecting its constitutional rights.

Since there was no chance of a compromise, Burt

⁷⁸The Council to the Assembly, 2 August 1779. C.O. 152/59, fo. 297.

⁷⁹J.A.S.K., 3 August 1779. C.O. 241/11.

sought recompense from the Treasury. One of his bills (for more than £683) was paid, on Germain's recommendation. However, the Secretary of State notified him that the Assembly had to repay the money, and he was again warned that the Treasury would honour no more bills for work which it did not authorise.⁸⁰ Obviously worried by the turn of events in St. Kitts, and the refusal of the Assembly to pay for the island's defence, Germain sent another letter on the following day to Burt affirming the Treasury's position.⁸¹ He therefore left the Governor in no uncertainty that he would have to find a way of persuading the Assembly to pay his bills. But even before receiving the letters, Burt wrote to Germain telling him that the House was not prepared to make any deals.⁸²

As in St. Vincent, the dispute in St. Kitts had assumed a new perspective when in August 1779 two merchants, John Manning and Hewitt Clarkson, filed a suit of debt for more than £2,000 currency. The jury returned a verdict against him, but judgement was withheld. Burt now realised the seriousness of his position. If he did not pay the remainder of his debts totalling in excess of £6,000, before the following March, more suits were to be filed against him. As he felt that the

⁸⁰ Germain to Burt, 4 August 1779. C.O. 152/59, fos. 193-193d.

⁸¹ Germain to Burt, 5 August 1779. *Ibid.*, fo. 197.

⁸² Burt to Germain, 27 September 1779. *Ibid.*, fo. 318; Burt to Germain, 28 September 1779. *Ibid.*, fo. 321d.

British Ministers were prepared to leave him to the mercy of a group of disloyal colonists, Burt threatened to appeal directly to the King.⁸⁴ He was saved from further humiliation in the courts by Germain's decisive action on this occasion, probably inspired by Burt's threat.⁸⁵ However, the matter was not settled. In accordance with its policy, the Treasury ruled that the money used to pay Burt's bills was to be considered as a loan to the St. Kitts Assembly.⁸⁶ When this information was conveyed to the House, a committee comprising of Robert Thomson, Aretas Akers, William Mahon, Nicholas Richards and Benjamin Clifton, some of Burt's most persistent critics, recommended that the Assembly should reject the Treasury's order. In March 1780 the House adopted the recommendations of its committee in a number of resolutions stating that it would neither pay for the provisions nor repay the Treasury.⁸⁷

As the opposition to Burt became more intense, at the beginning of May 1779 he called for five hundred troops to be sent to St. Kitts to maintain the sovereignty of the island.⁸⁸ There were good reasons for the appeal. The civil magistrates would not carry out their duties. The colonists were communicating military information to the Americans either directly or via

⁸⁴Burt to Germain, 27 September 1779. *Ibid.*, fo. 318d.

⁸⁵William Knox to John Robinson, 30 June 1779, in J.A.S.K., 1 December 1779. C.O. 241/11.

⁸⁶John Robinson to William Knox, 16 July 1779. *Ibid.*

⁸⁷J.A.S.K., 7 March 1780. *Ibid.*

⁸⁸Burt to Germain, 3 May 1779. C.O. 152/59, fo. 115d.

friends in St. Eustatius,⁸⁹ and American prisoners taken to St. Kitts were able with the help of 'the friends of America', to communicate with the rebels in the Dutch island.⁹⁰ No wonder therefore that Burt complained: 'Difficult my Lord is the part I have to Act, surrounded by Spies & in the Legislature of this Island many disaffected Persons'.⁹¹

Because of Burt's repeated requests for troops,⁹² General James Grant, Commander of the military forces in the Leeward Islands, stationed the Fifteenth Regiment in strategic parts of the island. Two companies were left at Basseterre, two at Old Road, and six on Brimstone Hill. But notwithstanding the military precautions, before leaving St. Kitts for Antigua Burt also left strict orders that no capitulation agreement was to be signed with the enemy.⁹³ Later events were to prove that Burt was right all along. Early in 1782 the inhabitants, without making an effort to defend St. Kitts, capitulated to the French while Shirley was entrenched in Brimstone Hill fighting to repel the enemy.

The disaffection of St. Kitts had reached such heights by the beginning of 1780 that besides calling for

⁸⁹Morgan, ed., *Naval Documents*, Vol. V, p. 957.

⁹⁰Philip Lewis to Jane Lewis, 2 November 1778. H.C.A. 32/419/2, fo. 23.

⁹¹Burt to Germain, 4 October 1778. C.O. 152/58, fo. 281.

⁹²Burt to Germain, 1 June 1779. C.O. 152/59, fos. 189-189d; Burt to Germain, 16 June 1779. *Ibid.*, fo. 218d; Burt to Germain, 22 June 1779. *Ibid.*, fo. 224d.

⁹³Burt to Germain, 16 March 1780. C.O. 152/60, fo. 80d.

troops, Burt renewed an earlier suggestion that the constitution of the Leeward Islands should be changed, as 'the members in direct succession to the President of St. Christophers were not equal in abilities to those of Antigua'. Burt certainly did not mean administrative abilities. He meant loyalty. In the event of the Governor's death or absence, the command of the Leeward Islands would devolve on the President of the Council of St. Kitts. Burt now recommended that the command should rest with the President of the Council of Antigua.⁹⁴ He was obviously worried that if Anthony Johnson became Commander-in-Chief, the government would be administered by an American supporter. Johnson had voted against the Council's resolution censuring the Assembly's resolution criticising Burt's interference with the proceedings of the House.⁹⁵ Germain was sympathetic to the recommendation but believed that it could not be implemented until a new commission was issued. However, he promised Burt that in the event of his death a Governor would be appointed immediately.⁹⁶

On 27 January 1781 Burt died a broken and defeated man who had fallen 'in the Contest' with the Assembly, and the command of the government passed into the hands of Johnson⁹⁷ whom Burt had considered unequal to the

⁹⁴Burt to Germain, 26 September 1780. *Ibid.*, fos. 251-251d.

⁹⁵Burt to Germain, 30 March 1780. *Ibid.*, fos. 103-104.

⁹⁶Germain to Burt, 30 May 1780. *Ibid.*, fos. 110d-111.

⁹⁷Johnson to Germain, 31 January 1781. C.O. 152/61, fo. 11; Thomas Jarvis to Lord Germain, 7 February 1781. *Ibid.*, fo. 15.

office. As soon as the news reached England, Thomas Shirley, the former Governor of Dominica, was immediately sent to the Leeward Islands.⁹⁸ In the meantime, Johnson saw the correspondence on the proposed reorganisation of the government, and in May he laid this information before the Council which objected to any change.⁹⁹ All former animosities between both Houses were quickly forgotten. A joint address from the Council and Assembly opposing the recommendations was sent to London. Germain, without knowing that Shirley's commission had been amended, assured him that none was contemplated; but requested that this information should be withheld from the Assembly until it had granted the land around Brimstone Hill to the Crown.¹⁰⁰

It seems strange that the Board of Trade had made adjustments to the seat of government without informing Germain¹⁰¹ who was the Member of the Board responsible for ordering the drafting of commissions and instructions.¹⁰² By Shirley's ninety-first instruction, the seat of the Leeward Islands government remained in Antigua,¹⁰³ but his commission stated that on his death,

⁹⁸ Lord Germain to Anthony Johnson, 4 April 1781. *Ibid.*, fos. 21-21d; Lord Germain to Thomas Jarvis, 4 April 1781. *Ibid.*, fo. 19.

⁹⁹ Johnson to Germain, 13 May 1781. *Ibid.*, fos. 90-90d.

¹⁰⁰ Lord Germain to Thomas Shirley, 1 September 1781. *Ibid.*, fos. 105-106.

¹⁰¹ Germain to Shirley, 6 February 1782. C.O. 152/52, fo. 23d.

¹⁰² Arthur Herbert Basye, *The Lord Commissioners of Trade and Plantations* (New Haven, 1925), p. 180.

¹⁰³ 'Ninety-first Royal Instruction' to Governor Shirley (April 1781). C.O. 152/62, fo. 17.

and in the absence of the lieutenant-governors who normally resided in England, the most senior Councillor or the President of the Council of St. Kitts was to go to Antigua and administer the government from there.¹⁰⁴ Germain now instructed Shirley not to implement the change until he had taken steps to make it acceptable to the inhabitants of St. Kitts. Exactly what Shirley was expected to do is unclear, but it was unlikely that anything would have appeased the people. Consequently, Germain ordered Shirley to suppress his commission to prevent further unrest in St. Kitts.¹⁰⁵ But the white inhabitants never forgave Shirley even though he had nothing to do with the proposal.¹⁰⁶

While Burt was engaged in disputes with the Assembly of St. Kitts, that of Antigua remained relatively quiet; but it too was chipping away at the Governor's executive powers, especially his control of the militia. In March 1776 the legislature of Antigua passed a triennial militia law which prevented commissioned officers from being dismissed without first being found guilty by a military court consisting of not less than thirteen commissioned officers. The president of the court had to hold a rank above that of field officer. The court was required to subpoena witnesses to testify under oath, and for an officer to be convicted of any

¹⁰⁴'Extract from Shirley's Commission', 23 April 1781. *Ibid.*, fos. 19-19d.

¹⁰⁵Germain to Shirley, 6 February 1782. *Ibid.*, fos. 23d-24.

¹⁰⁶Shirley to Germain, 28 November 1781. *Ibid.*, fos. 15-15d.

offence, a majority of nine judges had to concur in the decision. But when the court consisted of more than thirteen members, there had to be a two-thirds majority.¹⁰⁷ This clause of the militia law gave rise to the following dispute. At the end of September 1780, Burt dismissed Main Swele Walrond, a Member of the Assembly, assistant-judge, as governor of Monk Hill Fort (also called Fort George), because of a private incident at the Governor's house, over a licence which Burt had issued to Captain Hallway to marry Walrond's daughter.¹⁰⁸ Believing that he was unjustly treated, as in the case of Thomas Harrison of Jamaica, Walrond resigned as assistant-judge of the court of common pleas and king's bench, and Burt appointed James Nibbs.¹⁰⁹

About three weeks later, Walrond sent petitions to the Council and Assembly of Antigua claiming that he was dismissed as an officer of the militia without trial by a military court, and as an assistant judge without the consent of the Council, and he asked the Assembly to approve his conduct.¹¹⁰ It is likely that Walrond was using his dismissal as a test case, to determine the legality of the militia law and the Governor's authority

¹⁰⁷An Act to alter and amend an Act entitled an Act for regulating the Militia of this Island for the farther regulation of the said Militia', 14 March 1776. C.O. 8/18, No. 120.

¹⁰⁸Burt to Germain, 26 September 1780. C.O. 152/60, fo 251; Governor Burt to Main Swele Walrond, 5 September 1780. *Ibid.*, fo. 255.

¹⁰⁹Burt to Germain, 26 September 1780. *Ibid.*, fo. 251.

¹¹⁰Memorial of Main Swele Walrond to the Assembly of Antigua, 28 September 1780. C.O. 152/60, fos. 265-265d.

over the forts. Walrond, like Harrison, wanted to get as much political mileage as was possible out of this incident. The Council sent a copy of Walrond's memorial and other related information to the Governor for his comments.¹¹¹ Meanwhile, a committee of the House which was appointed to investigate Walrond's complaints informed the Governor that it was holding a public inquiry at the court house.¹¹² Wishing to cooperate with the Assembly, Burt sent his correspondence with Walrond to the committee. He charged him with insulting behaviour and with attempting to disturb the peace of the colony.¹¹³ Burt made similar claims in a letter to the Council which he reminded that he was constitutionally entitled to dismiss any of its members, or any patentee, without its advice, as long as he submitted his reasons to the Crown.¹¹⁴

Of course, Burt was within his legal bounds, but such hard-line policies did not usually go down well with the colonists. It was probably impossible, however, for Burt to reach an amicable compromise. Both Houses had already shown that they wanted to restrict his authority to dismiss militia officers. In such instances, when both sides stood firm, parts of the executive power were surrendered by the Crown to maintain political peace in

¹¹¹Thomas Jarvis to Governor Burt, 28 September 1780. *Ibid.*, fo. 261.

¹¹²A Committee of the Assembly to Governor Burt, 9 October 1780. *Ibid.*, fo. 263.

¹¹³Burt to the Committee of the Assembly, 10 October 1780. *Ibid.* fo. 267.

¹¹⁴Governor Burt to Thomas Jarvis, 10 October 1780. *Ibid.*, fos. 269-270.

the islands. At a meeting of the Council to discuss the Walrond affair, a committee was appointed to hold a public meeting on 20 October at which Walrond was ordered to appear with a written and signed affidavit of his dispute with Burt.¹¹⁵ The committee resolved that no judge could be suspended without the advice of the Council; that Walrond's dismissal was 'unconstitutional', since the militia law stipulated that no officer could be dismissed without first being convicted by a court-martial, against which there was no appeal; and that the Governor had no separate or superior power over officers or employees in the Forts. Although there was no law to prevent the arbitrary dismissal of judges, as in Jamaica, the Council's resolution was intended to have the same effect.

The Council then forwarded its report to the Governor with a recommendation for Walrond's reinstatement to both offices.¹¹⁶ But at first Burt rejected the requests of both Houses.¹¹⁷ In doing so, he pointed out that Walrond, like other public officers in Antigua, held his positions 'during pleasure only', and as Walrond had resigned his office as an assistant-judge, he was not obliged to ask the Council for its advice to accept or reject his resignation. Burt also refuted the doctrine that he had no superior power over the forts, and the people employed there. He was aware of the implications

¹¹⁵ Extract of Minutes of the Council of Antigua; , 17 October 1780. *Ibid.*, fo. 275.

¹¹⁶ Minutes of the Council of Antigua, 23 November 1780. C.O. 9/40 (hereafter cited as M.C.A.).

¹¹⁷ Burt to the Assembly, 7 December 1780. C.O. 9/41.

of the positions taken by both Houses. If he were to acquiesce in this dispute, he feared that he would make the Governor 'a Subordinate Power divested of a right to judge or Determine, and to delegate & would relinquish to the Council the prerogative of the Crown pointedly manifested to be vested in the Governor by the 39th and 40th Royal Instructions'.¹¹⁸

Burt's rejection of the recommendations of both Houses led to the establishment of a joint committee - five Assemblymen and two Councillors - to discuss the political implications of the dispute. In January 1781 the Committee unanimously recommended to Walrond that he should write to Burt stressing that he was sorry for his behaviour which Burt had misunderstood, and expressing his willingness to receive his commissions,¹¹⁹ before any further action was taken. This was scarcely an apology since the onus for the dispute was placed on the Governor. Germain was alarmed on hearing of yet another controversy. In January he informed Burt that such conflicts had two effects. First, they disrupted the public service, and second, they forced the British government to concede to the legislative bodies unconstitutional demands:

I could have wished that means had been found to have prevented the Assembly of Antigua from going into the Consideration of ... Walrond's Memorial, or if that could not be, that such satisfaction had immediately been given them on the points in which they considered themselves interested, as would

¹¹⁸Governor Burt's Answer to the Council of Antigua, 20 December 1780, in M.C.A., 3 January 1781. C.O. 9/40.

¹¹⁹M.C.A., 17 January 1781. *Ibid.*

have prevented any serious proceedings and Mr. Walrond have been left to make his complaint to the Throne.¹²⁰

Germain's letter had reached Antigua after Burt's death, but pressure from both Houses had forced him to give way to their demands, and to reinstate Walrond.¹²¹ The victory gained by the Council and Assembly of Antigua had reduced the Governor's power to dismiss militia officers, thus giving them more control of the militia, as was the case in the other Caribbean islands. The West Indian Assemblies had long realised that a well disciplined militia could only be achieved if the Governor's power to dismiss or supersede officers was transferred to a military court. Walrond's dispute helped to achieve this in Antigua. It had also touched on an unrelated but yet significant question. In its report to Burt, the Council stated that none of its members could be removed without its consent, irrespective of the Governor's ninth instruction which contained a proviso allowing him to suspend members without the Council's advice, if his reasons could not be communicated to the House.

Shirley who had been hurriedly sent out to the Leeward Islands soon found himself in conflict with the Council over his suspension of a Member, Robert Jeafferson. The pro-American sentiments of the colonists had worried all the Governors in the British West Indies, and Shirley soon found that it was his turn to cope with this

¹²⁰ Germain to Burt, 3 January 1781. C.O. 152/61, fos. 3-4; see M.C.A., 17 January 1781. C.O. 9/40.

¹²¹ Johnson to Germain, 22 March 1781. C.O. 152/61, fo. 34d.

problem. In April 1782 he informed the Council that he had suspended Jeafferson for making a 'treasonable' statement - '"that the King could do what he pleased with his Privy Council, and that he had a corrupt Parliament to give him sanction for it"'. Afflicted with their economic distresses, the colonists naturally blamed Parliament for creating this situation by involving Britain in the American War which they saw as a threat to their own civil liberties. Moreover, when called upon to withdraw the statement, Jeafferson retorted: '"Why you Yourself think so too, don't You"'.¹²² Convinced that the political opinion of some members of the Council was decidedly 'republican', Shirley judged it best not to seek the advice of the Council before suspending Jeafferson, but sent a letter advising President Thomas Jarvis of his decision.¹²³

At the end of August, Jeafferson sent a petition to the King complaining that he had been removed without the advise of his peers. He explained that he neither intended to censure the King's conduct nor to show disrespect to Governor Shirley, and asked that he be exonerated and reinstated to his seat on the Council.¹²⁴ The Earl of Shelburne, Secretary of State for the Home Department, was perturbed over Jeafferson's suspension, and he sent a strongly worded letter to Shirley, in which he pointed out that while he did not condone the

¹²²Thomas Shirley to Thomas Jarvis, 17 April 1782. C.O. 152/62, fo. 84.

¹²³*Ibid.*, fo. 84d; Thomas Shirley to Welbore Ellis, 7 May 1782; *Ibid.*, fos. 82-82d.

¹²⁴The Petition of Robert Jeafferson to the King, 27 August 1782. *Ibid.*, fos. 128-128d.

Councillor's 'indecent' behaviour, he was opposed to the Governor's adoption of such decisive action, and it was 'very desirable to exercise his Majesty's authority with a spirit of Moderation rather than Resentment'.¹²⁵ The position adopted by Shelburne not only prevented the development of any further dispute in Antigua, it clearly illustrated the new element which had become paramount in the relationship between the West Indian colonies and Britain.

The Leeward Islands Assemblies, like those of the other islands, were explicit in their constitutional claims during this period. The Assembly of St. Kitts had partly succeeded in excluding the members of the Council from participating in elections, and in upholding the House's rights to discipline members without any interference from the Governor or Council. That of Montserrat had impeached two justices of the peace for 'high Crimes and other Misdemeanours', and even though it backed down in the face of opposition from Lieutenant-Governor Losack, the Assembly had made its point by the resignation of both officers. The Assembly of Nevis had also expelled two of its members who were elected by the votes of members of the Council; while that of Antigua, like the Assemblies of the other islands, successfully usurped the Governor's power over the forts and the dismissal of militia officers. The West Indian colonists had registered their opposition to Britain's American

¹²⁵The Earl of Shelburne to Governor Shirley, 8 July 1782. *Ibid.*, fos. 93-93d.

policy by increasing their search for more 'Parliamentary privileges', and by widening their power over the executive branch.

CHAPTER IX

CONCLUSION

Prior to the outbreak of the American War of Independence, the economy of the West Indian sugar islands was overall in a healthy position. Of course, there were times when mainly because of natural causes as well as other factors common to agricultural societies, there was a sizeable decline in the island's staple production; but before 1776 this reduction lasted only a short time. In contrast, the economic experience of the Caribbean colonists during the American War was one of shortages and high prices. But the islands were saved from total ruin by the several policies adopted by the British government and the local legislatures. However, by the end of the War few planters were able to meet the costs of running their estates, and the majority were heavily indebted. Thus, the loss of the American markets had clearly demonstrated that the West Indian sugar economy based on slave labour could not survive without external supplies.

On the political level, one major question needs to be answered: why did the British West Indies, and the mainland colonies - with so many economic, political and cultural matters in common - fail to unite in opposition to British policies in America? If the West Indians were

not overtly engaged in the fighting, it was not because they did not sympathize with, or even share, many of the problems of the American colonies, as has been demonstrated in the preceding chapters. Several reasons could be offered for the failure of the colonists to unite; but the most important was the uniqueness of the West Indian plantation system. Absenteeism had rid the islands of a substantial part of their white leadership, and in the Caribbean there was no middle class which was not connected with slavery. Even more so than the American colonies during the colonial period, the West Indian economy, based as it was on sugar production, could not have survived without the slave system which was mainly controlled by English merchants. The system itself was responsible for the wealth of the islands, and thus the planters could not have separated from Britain without destroying their wealth. Furthermore, any rebellion by the white population would have automatically sparked numerous slave uprisings in the British West Indies, as was demonstrated in Jamaica in 1776. This fear of slave rebellions was also partly responsible for keeping the West Indians 'loyal' to Britain.

Yet, the period from 1776 to 1782 witnessed the growing power of all the West Indian Assemblies, an upsurge of political activity, and an unusual rise in the number of disputes between the Governors and the Assemblies over various constitutional issues. The West Indians, like the Americans, explicitly stated that

they possessed the constitutional power to control all matters affecting their internal affairs, without any interference from London or the Governors. The promise made by Parliament in 1778 not to legislate for the colonies except in matters relating to trade was a significant concession, and might have influenced the attitude of some Assemblies. There is little doubt, however, that the American War had received some support from a large sector of the colonists. The fighting on the continent was only the final and decisive phase of the Revolution which had taken roots in the decade prior to 1775. Much of the thinking of this period was shared by the West Indians as demonstrated in the writings of Edward Long and Bryan Edwards, as well as in many of the political claims made by the Assemblies. The earliest and most significant was the petition of the Assembly of Jamaica to Lieutenant-Governor Roger Hope Elletson in 1766. It was precisely in these times of crisis that the Assemblies' claims to co-equality with the British House of Commons were most strongly made.

The deteriorating economic conditions of the islands and the uncertainty of their future were reflected in the constitutional debates during the American War. The refusal of the Assemblies to tax an over-burdened people, the restriction of the Governors' powers in all facets of West Indian political life, the Assemblies' quest for executive powers, and the readiness of the colonists to prosecute their Governors formed part of a wider movement manifested in the

American War of Independence. All the Governors who served in the West Indies during this period spoke of the emergence of a republican spirit. For example, Governor Burt wrote in one of his last despatches: 'Others in this part of the World caught the infection from America and deeply tinged with the principles of Republicanism, attempt bringing all to a level, and assume Privileges to which I cannot think them constitutionally, I am certain they are not from the mode of Government hitherto carried on, entitled'.¹ Governors Morris, Dalling, Hay, Cuninghame and Macartney reached similar conclusions. This diffusion of republicanism in the colonies was used by Sir Guy Carleton, former Governor of Canada and Commander-in-Chief of the British forces in America, in opposing free trade between the West Indies and the United States of America. In his evidence before the Committee of the Privy Council for Trade and Foreign Plantations in 1784, he emphasised: 'It is not in the Revolted provinces alone that a Republican Spirit is to be found, but the tint has ... spread to other parts of America, and to the West Indies'²

Long before this period, the colonists had enjoyed a broader, more general representation in their Assemblies than their fellow subjects in Britain. In most of the colonies a white man needed only ten acres

¹ Burt to Germain, 25 October 1780. C.O. 152/60, fo. 258.

² Minutes of the Committee of the Privy Council for Trade, 16 March 1784. B.T. 5/1, fo. 14d.

of land before he could vote, or be elected to the Assembly. Most of the colonists had the necessary qualifications or were allowed to hold land in trust, thus enabling them to participate in elections. Consequently, the ratio of the representatives in the colonial Assemblies to the white population was more generous than in Britain. The people were therefore more familiar with the principles of the British Parliamentary system, and thus desired to see more of the executive power of government controlled by their elected representatives. This movement which included the control of the militia, the control of the declaration of martial law, the control of the issuing of public money, the limitation of the life of the Assembly and in Jamaica a law giving the judges their places during good behaviour led to most of the constitutional crises in the islands.

During the American War, the colonial administrative system was severely tested, and it became difficult for the Governors to administer their islands according to their instructions. In every colony the Assembly defied the Governor, and in nearly every clash of authority the colonists were victorious. They had achieved their goals by subverting the prerogatives in some way. The questions in dispute differed only slightly. In Barbados and Jamaica, these were attempts to wrest more executive power from the Governors; while in St. Kitts and the ceded islands, the Assemblies were imbued with a more revolutionary spirit although not to the same degree as in America. The West Indians were proud to be Englishmen,

and unlike in the mainland colonies there was no overt movement for independence, but for more political control which the authorities viewed as incompatible with their status as colonists. The extent of the opposition to Imperial authority in each colony apparently depended on the severity of economic decline, as well as the degree of sympathy for the Americans.

Like the Americans, the West Indians believed in government by consent, and were opposed to being classified subject people. They were thus willing to recognise the prerogative when it did not conflict with their interests.* However, the position of the West Indian planters in the economic system of the British Empire, and the vulnerability of the islands to attacks by foreign powers, were factors which compelled them to remain 'loyal' to the Crown. But during the seven years of fighting, the Caribbean colonists waged their own war against the British government, and as the island governments were left to be administered solely by the Governors, with little direction from Lord Germain, each colonial Assembly successfully made inroads into the executive power. The question of a unified opposition to British policy was unthinkable at this time, and the issues in contention, though common throughout the islands, were handled parochially.

APPENDIX A

Table 1

Account of Negroes Imported, Exported
and Retained in Jamaica, 1770-1776

<u>Year</u>	<u>Imported</u>	<u>Exported</u>	<u>Retained</u>	
1770	6,824	836	5,988	
1771	4,183	671	3,512	
1772	5,278	923	4,355	
1773	10,729	587	10,142	Inspector General's
	9,676	800	8,876	Stephen Fuller's
				Agent of Jamaica
1774	17,687	2,659	15,028	Inspector General's
	18,448	2,511	15,937	S. Fuller's Agent
1775	17,364	5,494	13,870	Inspector General's
	9,292	1,629	7,663	S. Fuller's Agent
1776	18,400	3,834	15,016	

Taken from Long, 'Papers on the Statistics of Jamaica 1739-1770' (1789). Add. MSS. 12,435, fo. 27d. The differences in the figures might be due to omission of accounts for part of the year or the returns of some ports by Fuller. Long claims that the Inspector-General's figures are correct.

Table 2

Account of Negroes Imported into Dominica, 1770-1775

<u>Year</u>	<u>Negroes Imported</u>
1770	2,818
1771	3,093 (3,249)*
1772	3,991
1773	2,011 (3,370)*
1774	2,349
1775	5,687

Taken from 'An Account of the number of Negroes imported into... Dominica under the Free Port Act of 6 Geo. III C. 49' (no date). C.O. 318/2, fogs. 249,252 (hereafter cited as Accounts of Negroes Imported into Dominica).

*These figures might be the correct ones, and might include the importations into all ports.

Table 3

Population Figures for the Leeward Islands

<u>Year</u>	<u>Place</u>	<u>Whites</u>	<u>Negroes</u> [*]	<u>Year</u>	<u>Whites</u>	<u>Negroes</u> ^{**}
1756	Antigua	3,412	31,428	1774	2,590	37,808
1756	Montserrat	1,430	8,853	1774	1,300	10,000
1756	Nevis	1,058	8,380	1774	1,000	10,000
1756	St. Kitts	2,713	21,891	1774	1,900	23,462

* Sir Alan Burns, *History of the West Indies* (London, 1965), pp. 499, 510.

** Great Britain, Parliament. *Papers Presented to Parliament*, Vol. 84; *Accounts and Papers*, Vol. XXVI (1789); Part IV, No. 15 (hereafter cited as *Parliamentary Papers*).

Table 4

Population Figures for Jamaica

<u>Year</u>	<u>Whites</u>	<u>Slaves</u>
1760	17,949	166,914
1773	12,737	192,787
1778	18,420	205,261
1788	18,347	226,432

Compiled from Ragatz, *Statistics for the Study of British Caribbean History 1763-1833* (London, 1928), p. 5, 'Statistics on Jamaica' (no date). C.O. 318/2, fo. 19.

Table 5

Population of Dominica, Grenada and St. Vincent

Dominica		
<u>Year</u>	<u>Whites</u>	<u>Slaves</u>
1763	1,718	5,872
1768	2,020	8,497
1772	3,850	18,753 ^a
1773	3,850	18,753 ^b

Grenada ^c		
<u>Year</u>	<u>Whites</u>	<u>Slaves</u>
1763		12,000
1771	2,076	26,211
1777	1,534	35,118
1783	996	24,620
1785		23,926

St. Vincent ^d		
<u>Year</u>	<u>Whites</u>	<u>Slaves</u>
1764	2,104	7,414
1772	2,000	7,000
1787	1,450	11,853

a 'State of Dominica' (no date). C.O. 318/2, co. 18

b Ragatz, *Statistics*, p. 5.

c 'State of Grenada', 1785. C.O. 318/2, fo. 217.

d *Parliamentary Papers*, Vol. 84.

Table 6
Population of Tobago

<u>Year</u>	<u>Whites</u>	<u>Slaves</u>
1770	238	3,164
1775	391	8,643

Taken from Ragatz, *The Planter Class*, p. 30.

Table 7
Exports from Grenada to England to the Nearest Unit

<u>Year</u>	<u>Cocoa</u> <u>cwts</u>	<u>Coffee</u> <u>cwts</u>	<u>Rum</u> <u>gals</u>	<u>Sugar</u> <u>cwts</u>	<u>Cotton</u> <u>lbs</u>
1769	2,343	12,443	94,030	126,228	969,093
1770	3,054	15,927	158,066	196,131	966,496
1771	5,048	13,749	161,189	157,762	629,228
1772	3,424	24,740	90,143	194,452	1,069,261
1773	3,074	17,396	63,664	198,159	1,028,802
1774	2,811	23,299	72,318	179,375	1,175,913
1775	2,667	24,423	143,138	189,939	729,949
1776	2,386	16,403	292,953	147,722	561,946
1777	2,413	21,027	98,078	115,740	1,225,201
1778	2,384	20,124	148,351	122,254	1,296,723
1779	2,219	12,158	67,223	103,292	1,176,026

Compiled from The Public Record Office. Customs 3/69-79
(hereafter cited as Customs 3).

Table 8

Exports from St. Vincent to England

<u>Year</u>	<u>Cocoa</u> <u>cwts</u>	<u>Coffee</u> <u>cwts</u>	<u>Rum</u> <u>gals</u>	<u>Sugar</u> <u>cwts</u>	<u>Cotton</u> <u>lbs</u>
1769	2,201	4,818	5,878	21,174	46,602
1770	936	2,995	34,694	38,395	63,964
1771	921	7,685	48,047	44,359	67,895
1772	1,381	10,503	20,350	53,551	84,627
1773	2,082	7,348	26,071	58,691	199,670
1774	1,784	8,111	16,342	62,599	342,228
1775	1,192	10,568	79,603	51,643	271,472
1776	2,037	6,827	88,089	45,975	374,229
1777	530	7,120	39,330	50,381	219,329
1778	724	3,531	58,883	43,080	577,911
1779	751	5,320	16,763	40,877	26,500

Compiled from Customs 3/69-79.

Table 9

Exports from Tobago to England

<u>Year</u>	<u>Sugar</u> <u>cwts</u>	<u>Rum</u> <u>gals</u>	<u>Cotton</u> <u>lbs</u>
1770	1,686	60	--
1771	4,450	29	--
1772	13,625	619	33,000
1773	14,153	3,171	2,000
1774	30,985	550	71,624
1775	50,385	2,845	167,510
1776	47,146	66,656	381,355
1777	17,754	16,782	408,974
1778	26,922	35,351	1,459,614
1779	15,591	4,998	728,506
1780	22,149	5,850	1,452,002

Compiled from Customs 3/70-80.

Table 10

Exports from Dominica to England

<u>Year</u>	<u>Coffee</u> <u>cwts</u>	<u>Rum</u> <u>gals</u>	<u>Sugar</u> <u>cwts</u>
1769	14,163	6,604	1,560
1770	10,480	793	13,940
1771	16,449	25,489	10,258
1772	20,321	18,706	10,371
1773	15,709	10,867	26,705
1774	21,134	11,707	53,464
1775	15,792	50,800	40,682
1776	25,165	74,955	49,837
1777	16,121	26,444	35,462
1778	14,306	44,729	38,855

Compiled from Customs 3/69-78.

Table 11

Exports from Barbados to England

<u>Year</u>	<u>Rum</u> <u>gals</u>	<u>Sugar</u> <u>cwts</u>	<u>Cotton</u> <u>cwts</u>
1769	279,056	154,262	112,083
1770	307,642	172,706	114,055
1771	112,986	100,945	65,877
1772	14,214	140,850	129,892
1773	8,629	110,911	161,139
1774	11,498	139,564	165,988
1775	17,841	70,131	230,291
1776	196,419	117,028	201,850
1777	28,013	80,701	491,849
1778	5,350	46,081	253,915
1779	10,044	86,453	434,785
1780	5,452	68,720	461,933

Compiled from Customs 3/69-80.

Table 12

Exports from Antigua to England

<u>Year</u>	<u>Rum</u> <u>gals</u>	<u>Sugar</u> <u>cwt</u>
1770	417,512	126,470
1771	280,897	112,167
1772	31,669	114,221
1773	3,297	80,895
1774	20,059	233,441
1775	48,951	241,595
1776	114,325	196,966
1777	7,553	85,339
1778	7,797	108,940
1779	9,371	60,680
1780	5,093	35,662

Compiled from Customs 3/70-80.

Table 13

Exports from St. Kitts to England

<u>Year</u> <u>March to March</u>	<u>Sugar</u> <u>Hogsheads</u>	<u>Rum</u> <u>Casks</u>
1769 - 1770	12,584	69
1770 - 1771	17,183	91
1771 - 1772	13,884	62
1772 - 1773	15,681	49
1773 - 1774	6,908	33
1774 - 1775	15,839	60
1775 - 1776	13,520	76
1776 - 1777	14,233	1,274
1777 - 1778	11,619	484
1778 - 1779	10,901	560
1779 - 1780	15,747	175
1780 - 1781	14,617	27
1781 - 1782	14,102	1,025
1782 - 1783	13,243	572

Sheridan quotes the annual average quantity of sugar at 9,143 tons which compares favourably with the above figures - Sheridan, 'An era of West Indian prosperity'. Hall, Goveia and Angler, eds., *Chapters in Caribbean History*, p. 85. M.B. 1 hogshead=approx. 15 cwt, 1 cask=approx. 110 gals.

Table 14

Exports from Jamaica to England

<u>Year</u>	<u>Coffee^a</u> <u>cwts</u>	<u>Sugar^b</u> <u>hogsheads</u>	<u>Rum^b</u> <u>gals</u>
1770	1,711	39,760	8,743
1771	2,123	39,136	10,737
1772	5,900	45,889	12,483
1773	3,770	54,302	12,596
1774	4,831	51,218	10,493
1775	4,029	50,340	11,564
1776	3,396	40,799	14,257
1777	3,987	33,856	10,034
1778	651	40,509	12,320
1779	6,260	42,876	14,250
1780	7,176	49,158	12,014
1781	--	38,509	8,189
1782	--	30,282	7,820

^a Custom 3/70-80.

^b 'Minutes of the West India Merchants', Vol. I, fos. 9, 18, 28, 47, 61, 76, 115, 147, 174; Vol. II, fos. 20, 58d, 92d, 112d.

Table 15

Number of Ships, with their Tonnage with the Total Value of Exports and Imports

<u>Year</u>	<u>Ships</u>	<u>Tonnage</u>	<u>Total Value of Exports to West Indies</u>	<u>Ships</u>	<u>Tonnage</u>	<u>Value of Imports From West Indies</u>
1769	474	80,986	1,346,247	564	89,466	3,002,679
1770	398	69,153	1,313,676	610	89,683	3,418,823
1771	430	77,335	1,209,822	502	77,584	2,972,203
1772	433	78,942	1,433,028	579	90,187	1,465,404
1773	464	86,257	1,338,703	608	84,206	2,848,613
1774	472	87,694	1,420,524	498	82,327	3,622,948
1775	498	93,717	1,706,301	592	103,045	3,675,948
1776	490	85,753	1,602,713	594	97,972	3,329,920
1777	420	76,861	1,247,771	464	76,900	2,794,457
1778	504	90,834	1,151,594	568	92,298	3,057,424
1779	522	97,135	1,127,465	553	86,196	2,811,909
1780	535	101,798	1,675,313	475	88,726	2,450,078
1781	353	64,851	1,031,028	474	88,562	1,860,546
1782	452	80,726	1,289,552	471	89,123	2,217,928

'An Account of the Number of Ships, with their Tonnage, which cleared Outwards from Great Britain to the British West India Islands, in each Year, from 1780, together with the Total Value of Exports from Great Britain to the West Indies...' to the nearest £. *Parliamentary Papers*, Vol. LXXXIV, Appendix Part IV, Nos. 687.

Table 16

'An Account of the Total Quantities of Imports from North America to the British West India Islands, for the three years past distinguishing each year and from what Province', 10 April 1775. Add. MSS. 12,431, fo. 170.

Colonies	Lumber Feet	Shingles No.	Staves No.	Hoops No.	Corn Bushels	Peas Bushels	Oats Bushels	Hogheads	Barrels	Quintal	Keys	Bread Barrels	Loaves	Rice Barrels	Tierces	Beef & Pork Barrels	Oxen No.	Horses No.	Poultry Dozen	Sheep & Wags No.	Oil Barrels	Pitch Tun.	Soap & Candles Boxes
Newfoundland	-	-	-	7,000	-	-	-	334	29	2,849	-	-	-	-	-	-	-	-	-	-	1	-	-
Canada	42,340	8,000	-	6,500	16	479	136	27	134	666	196	257	-	-	-	12	-	-	-	-	43	-	-
Nova Scotia	20,000	10,000	26,000	-	-	-	-	-	100	150	-	298	-	-	-	155	-	-	-	-	14	-	-
New England	14,522,423	7,826,599	4,492,425	1,611,296	13,171	1,004	2,213	11,153	9,343	5,549	774	5,381	319	38	13	3,319	1,107	1,946	908	4,446	777	364	3,362
New York	86,337	141,700	952,861	171,460	27,625	1,765	1,140	348	895	-	167	12,855	452	-	60	439	16	35	-	-	-	98	333
Pennsylvania	1,039,745	881,635	2,610,162	74,500	30,598	3	450	82	3,066	6	84	88,989	3,421	436	81	4,003	24	6	25	-	190	313	2,343
Maryland	233,818	176,240	530,740	37,710	39,991	793	500	54	640	-	-	11,495	243	-	-	74	-	-	-	-	1	-	-
Virginia	913,454	3,964,123	1,656,075	95,400	272,996	6,207	4,880	1,293	727	-	-	13,605	80	-	3	3,403	-	-	17	40	4	565	205
North Carolina	2,063,384	1,152,455	3,164,715	10,420	16,511	7,631	335	2,831	215	-	-	200	-	79	28	850	-	75	47	201	2	1,980	30
South Carolina	1,323,946	465,385	584,670	2,125	12,479	1,942	-	-	-	-	-	2,088	-	13,308	7,967	693	-	21	-	60	10	1,437	96
Georgia	1,074,528	854,400	1,528,465	2,000	5,050	300	-	22	3	-	-	1,215	-	1,268	1,599	560	1	87	14	65	-	118	-
Florida	13,000	3,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTALS - 1771	21,271,995	15,483,542	15,546,113	1,958,411	418,307	20,124	9,654	16,144	15,143	9,240	1,231	136,383	4,515	15,129	9,651	12,511	1,148	2,170	1,101	4,812	1,742	4,935	6,659
Newfoundland	-	-	-	-	-	-	-	1,406	42	4,391	-	-	-	-	-	-	-	-	-	-	46	-	-
Canada	22,680	16,000	450	4,750	8	288	68	111	67	394	195	172	-	-	-	3	-	-	-	-	37	-	-
Nova Scotia	61,000	31,000	-	-	-	-	-	52	94	108	-	-	-	-	-	-	-	28	10	-	7	-	-
New England	17,691,416	10,374,569	6,214,096	1,926,860	5,993	713	1,780	14,210	8,820	5,760	836	5,542	520	82	66	2,013	1,204	1,896	779	3,364	646	313	3,000
New York	538,140	500,813	1,395,591	81,825	17,500	1,686	1,443	534	1,296	182	233	12,969	406	86	106	911	20	65	12	-	25	162	753
Pennsylvania	1,655,008	1,359,332	3,620,192	84,546	28,010	351	306	549	3,071	91	84	90,453	3,874	222	138	2,717	-	14	12	-	190	649	11
Maryland	693,900	299,900	375,434	19,750	21,874	50	-	160	1,572	-	-	7,458	157	-	-	177	-	-	17	20	-	-	2
Virginia	1,976,709	5,667,918	2,630,170	39,155	239,743	11,272	2,571	1,911	726	2	-	8,852	-	-	-	4,178	-	6	-	-	-	1,269	24
North Carolina	2,891,529	1,586,700	3,730,107	3,000	43,269	3,784	-	2,244	1,811	-	-	189	3	53	133	1,217	-	38	105	154	-	3,754	-
South Carolina	688,740	591,266	1,559,290	7,200	7,254	1,976	-	-	284	26	10	639	-	6,526	4,033	860	12	94	-	39	-	1,427	56
Georgia	919,385	508,090	1,635,131	-	1,649	-	-	1	3	-	-	25	-	687	901	499	60	79	4	116	-	247	-
TOTALS - 1772	27,138,507	20,936,188	21,160,461	2,169,086	365,300	20,120	6,168	21,185	17,750	10,954	1,358	126,299	4,960	7,656	5,377	12,575	1,296	2,220	939	3,693	951	7,721	6,846
Newfoundland	2,000	-	-	2,000	-	-	-	567	140	4,524	-	-	-	-	-	24	-	-	-	-	71	6	-
Canada	3,000	24,000	900	3,000	-	250	-	195	-	200	218	264	-	-	-	-	-	-	-	-	32	-	-
Nova Scotia	83,000	96,000	-	-	-	-	-	64	251	1,440	-	-	-	-	-	-	-	-	-	-	6	-	-
New England	19,579,947	11,253,257	7,469,821	1,433,863	22,898	1,402	2,903	13,920	8,428	9,600	1,037	10,217	408	169	84	5,246	1,100	2,555	668	4,924	1,032	410	3,166
New York	739,319	536,257	1,124,181	54,975	8,066	1,174	100	817	969	136	-	12,819	360	11	221	1,509	70	10	-	10	4	40	448
Pennsylvania	1,979,012	1,237,180	3,865,981	53,000	28,123	920	388	780	4,050	54	69	90,419	1,564	852	805	4,867	13	73	25	-	294	498	3,126
Maryland	368,411	267,760	446,641	28,840	52,412	454	1,125	-	494	-	-	10,136	1,272	-	-	54	-	-	40	-	8	29	14
Virginia	765,082	5,457,970	2,000,903	25,620	252,278	13,657	2,838	5	501	14	-	7,949	-	-	3	4,117	-	10	-	-	2	432	12
North Carolina	3,218,459	2,910,975	3,832,277	1,200	37,616	5,139	-	369	805	20	-	1,109	20	315	142	1,949	-	16	60	157	4	2,057	4
South Carolina	545,907	568,100	1,214,591	5,260	15,378	1,743	-	2	-	40	-	1,705	-	13,692	4,398	642	-	21	-	99	-	576	-
Georgia	1,287,096	999,475	1,264,142	-	4,035	-	-	52	3	-	-	20	-	2,088	1,101	482	20	83	6	120	3	360	-
TOTALS - 1773	28,591,233	22,351,464	21,319,417	1,609,758	420,806	24,779	7,354	16,771	15,641	16,028	1,324	134,638	3,624	17,127	6,749	19,980	1,201	2,768	799	5,310	1,453	4,498	6,970

Table 17

Sugar and Rum Exports to the American Colonies
From the British West Indies

<u>Year</u>	<u>Sugar</u> <u>cwts</u>	<u>Rum</u> <u>gals</u>
1768	39,750	2,060,726
1769	49,020	2,718,923
1770	65,447	3,224,060
1771	47,946	2,180,060
1772	44,617	3,351,478
1773	39,365 ^a	3,049,298 ^a
1774	76,071	
	8,520,000 lbs ^b	4,783,680 ^b
	75,880	
	8,498,671 lbs ^c	4,783,825 ^c

^a'An Account of the Quantity of Rum and Sugar imported into North America from the West India Islands...1768-1773'. B.T. 6/84, fos. 297, 299.

^bJames Allen, *Considerations on the Present State of the Intercourse between His Majesty's Sugar Colonies and the...United States of America* (London, 1784), p. 38. He puts the rum exports for 1773 at 3,549,150 gallons.

^c'General Account of Sugar, Rum...Exported...from the West Indies in 1773 and 1774' (no date). B.T. 6/83: Part 2, fos. 40, 54. The quantity of rum exported in 1773 according to this account is only two gallons more than Allen's figures.

Table 18

Exports from the British West Indies to Canada

<u>Year</u>	<u>Sugar</u> <u>cwts</u>	<u>Rum</u> <u>gals</u>
1768	376	50,340
1769	116	4,840
1770	462	41,290
1771	369	42,820
1772	726	42,786
1773	312	64,610

Compare with figures in Table 17. Taken from B.T. 6/84, fos. 297, 299.

APPENDIX B

Table 1

'An Account of all Salted Beef and Pork...Wheat, Flour, Biscuit and Peas Exported from England from 1 January 1765 to 1 January 1784...'

<u>Year</u>	<u>Wheat</u> <u>gr</u>	<u>Flour</u> <u>gr</u>	<u>Bread</u> <u>cwts</u>	<u>Peas</u> <u>gr</u>	<u>Fish</u> <u>Herring</u> <u>barrels</u>	<u>Fish</u> <u>Cod</u> <u>cwts</u>	<u>Beef &</u> <u>Pork</u> <u>barrels</u>
1770	81	--	644	1,010	1,764	32	2,786
1771	--	--	236	780	1,964	--	2,197
1772	20	--	719	930	95	--	2,665
1773	--	--	404	356	2,390	190	1,836
1774	15	--	431	330	3,482	69	2,597
1775	2,070	3,108	3,071	675	4,141	40	2,324
1776	17,852	20,499	31,255	2,777	10,693	452	11,108
1777	11,699	6,590	18,583	6,061	10,721	1,055	16,434
1778	14,202	6,900	26,947	1,224	9,269	411	16,055
1779	36,832	13,175	35,492	3,967	9,453	242	9,845
1780	10,967	29,157	30,581	1,011	8,893	11,756	17,795
1781	3	35,377	23,832	1,712	9,759	780	15,715
1782	783	41,491	43,795	2,015	14,870	3,019	38,561
1783	108	4,290	6,657	755	17,780	1,407	18,050

Taken from T. 64/274, fos. 105, 106.

Table 2

Quantity of West Indian Produce Imported into
England from 1770 to 1787 to the Nearest Unit . . .

<u>Year</u>	<u>Sugar</u> <u>cwts</u>	<u>Rum</u> <u>gals</u>	<u>Coffee</u> <u>cwts</u>	<u>Cocoa</u> <u>cwts</u>	<u>Pimento</u> <u>lbs</u>
1770	1,818,229	--	--	--	--
1771	1,492,096	2,728,565	40,026	6,882	1,793,154
1772	1,786,045	2,284,163	62,206	6,802	1,450,575
1773	1,762,387	2,282,544	44,745	7,813	2,282,071
1774	2,015,911	1,703,222 ^b	57,694 ^b	5,227 ^b	2,530,939 ^b
1775	2,002,224 ^a	2,305,808	54,937	5,334	2,522,356
1776	1,656,934	3,341,025	51,833	6,536	1,589,145
1777	1,328,838	2,068,756	48,636	4,080	1,418,471
1778	1,406,429	2,456,572	38,801	3,494	2,498,192
1779	1,433,026	2,143,055	25,295	3,932	613,247
1780	1,293,060	1,615,841	8,568	1,908	676,076
1781	968,295	1,207,421	6,305	1,235	915,262
1782	1,198,860	1,562,327	12,118	605	451,880
1783	1,480,077 ^c	1,873,029 ^c	19,933 ^c	2,853 ^c	901,597 ^c
1784	1,815,510	1,981,308	41,147	2,586	1,134,254
1785	2,173,468	3,558,380	37,036	5,688	3,258,980
1786	1,813,098	2,229,231	39,032	1,722	1,017,757
1787	1,926,121 ^d	2,251,341 ^d	30,365 ^d	3,954 ^d	606,954 ^d

^a Edwards, *History of the West Indies*, Vol. II, pp. 509, 510.

^b Ragatz, *Statistics*, p. 22.

^c 'Account of the Imports and Exports between...England and the British West Indies...for Christmas 1773 to Christmas 1783... (1784).' T. 38/269, fos. 1-11 (hereafter cited as 'Account of Imports and Exports').

^d *Parliamentary Papers*, Vol. 84; *Accounts and Papers*, Vol. XXCI, Appendix 7.

Table 3

Account of Negroes Retained in the Following Islands

<u>Year</u>	<u>Antigua</u>	<u>Barbados</u>	<u>Dominica</u>	<u>Jamaica</u>
1775	1,127	879	5,687	13,870
1776	476	407	3,032	15,016 ^d
1777	286	34	1,996	5,049
1778	144	7	305 ^c	4,419
1779	9	no account	island captured	2,859
1780	73	no account	island captured	3,015
1781	132	1,138	island captured	6,755
1782	571 ^a	109	island captured	4,423
1783	910 ^f	194 ^b	island captured	9,580 ^e

^a *Parliamentary Papers*, Vol. 84; *Accounts and Papers*, Vol. XXVI, No. 646 (12), p. 51.

^b *Ibid.*, Part III, A, No. 15; *Parliamentary Papers*, Vol. 87; *Accounts and Papers*, Vol. XXIX (1790), No. 577, p. 2.

^c 'Account of Negroes retained in Dominica' (no date). C.O. 318/2, fos. 249, 252.

^d Long, 'Statistics of Jamaica' (1789). Add. MMS. 12,435, fo. 37d.

^e *Parliamentary Papers*, Vol. 82; *Accounts and Papers*, Vol. XXIX (1789), No. 622.

^f 'Account of Negroes...retained in each island...1783 to 1788' (no date). C.O. 318/1, fo. 141.

APPENDIX C

Table 1

Total Quantity of Tobacco Imported into Britain
from North America, the British and Foreign West Indian
Islands to the Nearest Pound

<u>Year</u>	<u>North America</u>	<u>British West Indies</u>	<u>French West Indies</u>
1775	101,337,361	491,256	--
1776	14,698,400	2,000	--
1777	301,361	167,224	--
1778	1,692,518	626,021	--
1779	3,321,043	4,146,167	40,944
1780	985,273	10,247,272	298,130
1781	1,872,609	4,827,031	91,463
1782	1,082,067	5,070,633	289,402
1783	14,643,165	2,295,088	286,047

From Macpherson, *Annals of Commerce*, Vol. IV, p. 37.

APPENDIX D

Table 1

Account Showing Prices for Provisions, Lumber, Sugar,
and Rum in Barbados in 1774, 1775 and 1776

<u>Articles</u>	<u>Quantity</u>	1774 to 1775		1776
		<u>Prices</u>		<u>Prices</u>
Good Flour	bushel	15s. to 25s.	Bad Flour	30s. to 37s.6d.
Maize	bushel	2s.6d. to 3s.9d.		10s. to 13s.
Salt Fish	quintal	12s.6d. to 25s.		30s. to 40s.
Beef	barrel	60s. to 70s.		90s. to 120s.
Pork	barrel	70s. to 100s.		100s. to 150s.
Herring	barrel	25s. to 32s.6d.		45s. to 55s.
Butter	pound	8d. to 10d.		1s.3d. to 1s.10½d.

Island's Produce

Muscovado Sugar	cwt	30s. to 35s.	18s.9d. to 25s.
Coarse Clayed	cwt	35s. to 47s.6d.	27s.6d. to 35s.
Proof Rum	gallon	2s.	1s.3d.

Taken from 'A State of the prices of provisions, and the value of
sugar and rum in the years 1774, 1775 and 1776', 8 September 1776.
C.O. 28/56, fo. 76.

Table 2

Average Prices of Lumber, and Provisions in Barbados

<u>Articles</u>	<u>Quantity</u>	<u>Before the War</u>	<u>During the War</u>
Lumber	mft.	£4	£30
Horses, British	each	£50	£80 to £100
American		£20	£40
Horned Cattle	each	£5 to £7.10s.	£15 to £20
Rice	cwt	12s.6d.	30s.
Indian Corn	bushel	2s.6d.	12s.6d.
Beef	barrel	50s.	75s.
Pork	barrel	65s.	£5

Governor David Parry to Lord Sydney, 26 December 1784. C.O. 28/56, fo. 209.

Table 3

Average Prices of Lumber, and Provisions in the Leeward Islands

<u>Articles</u>	<u>Quantity</u>	<u>Before the War</u>	<u>During the War</u>
Rice	cwt	18s. to 24s.	50s. to 55s.
Indian Corn	bushel	4s. to 8s.	12s. to 16s.6d.
Beef	barrel	50s. to £4	100s. to 160s.
Pork	barrel	66s. to 4.10s.	132s. to 198s.
Flour	cwt	20s. to 30s.	50s. to 66s.
Boards, Planks	mft.	£5 to £18	400s. to 600s.
Joists & Hoops Shingles	mft.	18s. to 30s.	66s. to 160s.
White Oak Staves & Headings	mft.	£7 to £10	400s. to 800s.
Red Oak Staves	mft.	£5 to £8	330s. to 660s.
Horses	each	£16.10s. to 35	£50 to £120
Horned Cattle	each	£16.10s. to 19.10s.	£33 to £50
Livestock	dozen	30s. to 50s.	99s. to 330s.

'Heads of Inquiry with Answers to them annexed, No. 1', in Thomas Shirley to Lord Sydney, 7 September 1785. C.O. 152/64, No. 115. Ragatz, *Planter Class*, p. 154.

Table 4

Average Prices of Lumber, Provisions in Jamaica

<u>Articles</u>	<u>Quantity</u>	<u>Before the War</u>	<u>During the War</u>
Rice	bushel	13s.9d. to 20s.	40s. to 80s.
Indian Corn	bushel	2s.6d. to 6s.3d.	6s.8d. to 17s.6d.
Common Flour	cwt	15s. to 20s.	20s. to 50s.
Super Fine Flour	cwt	20s. to 27s.6d.	27s.6d. to 60s
Common Board	mft.	120s. to 200s.	200s. to 600s.
Pitch Pine Board	mft.	160s. to 240s.	300s. to 800s.
Shingles	mft.	22s.6d. to 45s.	80s. to 140s.
White Oak Staves	mft.	200s. to 360s.	400s. to 1000s.
Red Oak Staves	mft.	120s. to 240s.	---

'Answers to the Several Heads of Enquiry, 1st Querie', 11 November 1784. C.O. 137/85, fo. 115; Ragatz, *The Planter Class*, p. 153.

Table 5

Average Prices of Lumber, Provisions in St. Vincent

<u>Articles</u>	<u>Quantity</u>	<u>1770 to 1774</u>	<u>1774 to 1778</u>	<u>1778 to 1784</u>
Lumber	mft.	80s. to 90s.	Prices	400s. to 800s.
Shingles	mft.	16s.6d. to 20s.	were in	84s.
Horses	each	400s. to 800s.	state	800s. to 1200s.
Horned Cattle	each	260s. to 720s.	of pro-	400s. to 660s.
Sheep	each	33s. to 36s.	gressive	66s. to 100s.
Geese & Turkeys	each	12s.	increase	25s. to 33s
Fowl	dozen	36s.		72s.
Salt Fish	110 lbs.	15s.		50s. to 70s.
Corn	bushel	4s.6d. to 6s.		70s. to 100s.
Pork	barrel	66s. to 100s.		24s.9d.
White Oak Staves	mft.	132s.		660s.
Red Oak Staves	mft.	100s.		400s.

'The Prices of Lumber, Horned Cattle, Livestock, and Indian Corn Compared with the Average Prices Before and During the War...', in Edward Lincoln to Lord Sydney, 8 January 1785. C.O. 260/7, No. 14. N.B. The 1778 to 1784 figures might have been lessened because those for 1783 to 1784 were included in the average.

Table 6

Prices of Rum in the British West Indies

<u>Year</u>	<u>Barbados</u> ^a	<u>Dominica</u> ^b	<u>Leeward Islands</u> ^c
1770 to 1773		19d.	
1774 to 1776	18d. to 22d.	17d.	
1777		19½d.	2s.6d.
1778		18½d.	2s.6d.
1779		14½d.	3s.
1780	3s.1d to 3s.9d.	14½d.	3s.6d.
1781	.	15½d	3s.6d.
1782		19½d.	2s.9d.
1783		19½d.	4s.
1784		17d.	2s.6d.

^a Parry to Sydney, December 1784. C.O. 28/60, fo. 209.

^b John Orde to Lord Sydney, 22 January 1785. C.O. 71/9, fo. 61d.

^c 'Heads of Inquiry with Answers...', 7 September 1785. C.O. 152/64, No. 115.

Table 7

Sugar Prices in Britain in September 1777

Tobago	42s.6d. to 48s.
Jamaica	40s. to 47s.6d.
Grenada	42s. to 49s.
St. Kitts	40s. to 52s.

Taken from Houston & Co. to Turner and Paul, 23 September 1777. Houston Papers: N.L.S. MSS. 8.793, p. 265; In December prices jumped by 16s. across the board; see Houston & Co. to Alexander Hamilton, 1 December 1777. *Ibid.*, p. 276.

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(a) Admiralty Papers

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Adm. 1/240: Dispatches of Admiral Gayton, 1774-1778.

Adm. 1/241: Dispatches of Admiral Parker, 1778-1779.

Adm. 1/309: Dispatches of Admirals Man, Parry and Young, 1769-1777.

Adm. 1/310: Dispatches of Admirals Young and Barrington and Commodore Hotham, 1776-1781.

Adm. 1/311: Dispatches of Admiral Rodney, 1779-1780.

Adm. 1/312: Dispatches of Admirals Byron, Hughes Drake and Hyde Parker, Commodore Walsingham and Affleck.

Adm. 1/314: Dispatches of Admiral Rodney, 1781-1787.

(b) High Court of Admiralty Papers

Series 32: Contains Prize Papers of American ships captured during and after the War of American Independence. Those listed cover the years 1776-1786.

H.C.A. 32/317/4

H.C.A. 32/360/15

H.C.A. 32/390/10

H.C.A. 32/419/2, 3, 14

H.C.A. 32/436/4, 20, 21

H.C.A. 32/437/13

H.C.A. 32/447/12

H.C.A. 32/457/1

(c) Board of Trade Papers

- Series 5: Vol. 1. Minutes of the Committee for Trade and Foreign Plantations.
- Series 6: Vol. 20. Commercial Papers: Series 11 1784-1791 American Trade.
- Vol. 75. Miscellaneous Papers on the West Indies, 1786-1789.
- Vol. 76. Papers concerning Jamaica: West Indies 1786-1791.
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- Vol. 80. Correspondence: American commercial intercourse 1783-1784.
- Vol. 81. Papers on American intercourse 1783-1786: Minutes of the Committee of the Privy Council on American Trade.
- Vol. 83. Parts I and II. America and the West Indies - Commercial Intercourse: Minutes and Statistics on United States - West Indian Trade.
- Vol. 84. Correspondence relating to American - West Indian trade.
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- Vol. 185. Sir Charles Whitworth 'State of the Trade of Great Britain'. First published in 1776, but the manuscript copy contains tables from 1697-1801.
- Vol. 186. Jamaica shipping returns.

(d) Privy Council

- Series 1: 19A/24 'Report of the Lords of the Committee for Trade, upon Two Acts passed by the Congress of the United States of America in July 1789.'

(e) Colonial Office

The Colonial Office papers are the largest single collection of documents for any study of West Indian history. They contain all the official correspondence between the Governors and the Secretary of State for the Colonies, as well as letters from the Governors to the Board of Trade.

Those used in this work are:

Barbados

- Series 28: Volumes 34 and 35: the original correspondence with the Board of Trade, 1772-1782.
- Volumes 42, 55-61: the official correspondence with the Secretary of State for the Colonies, 1773-1788
- Series 29: Contains the Governors' commissions, instructions, and 'out' letters from the Board of Trade to the Governors. The correspondence is usually a duplicate of series 28. Volume 21 concerns the period 1767 to 1778.
- Series 31: This is extremely important for any study of the period and contains invaluable material regarding the relationship between the Governors and the Barbados Assembly. Many of the speeches made in the House on important political and constitutional issues are reproduced in the volumes. Volumes 38 and 42 are Minutes of the Council; volumes 39, 41 and 43 are Journals of the Assembly.

Bahamas

- Series 23: Volume 24: correspondence with the Secretary of State of the Colonies 1777-1780.

Dominica

- Series 71: Volumes 1 and 2 original correspondence with the Board of Trade 1730-1801. Volumes 3 to 9, 12, 13 correspondence with the Secretary of State 1770-1787.
- Series 72: Volumes 3 to 5 are Sessional Papers.

Grenada

- Series 101: Volumes 1 to 7 are correspondence with the Board of Trade. Volume 6 contains an address from the Assembly of Grenada in favour of the American Revolution.
- Volumes 18 to 23, 26 are correspondence with the Secretary of State for the Colonies, 1774-1786. Volume 18 contains correspondence of Lieutenant-Governor Morris of St. Vincent.

Series 104: Contains the Sessional Papers.
Volume 2, was particularly useful.

Jamaica

Series 137: Volumes 38 to 40 - Board of Trade: original correspondence.
Volumes 68 to 86, 1772-1787, which contain the correspondence with the Secretary of State were used in this work. Volumes 79 to 81 contain papers regarding the recruiting and service of American loyalist troops, particularly the Loyal American Rangers.

Series 140: Sessional Papers. Volumes 46, 53 and 59 are Journals of the Assembly, 1766-1783. Volumes 46 and 59 were printed.

Leeward Islands

Series 152: Volumes 31 to 34 are the correspondence with the Board of Trade and pertain to the period.
Volumes 49 to 65 are the correspondence with the Secretary of State, 1768-1788.

Each Assembly had its own Sessional Papers, and are as follows:

(i) Antigua

Series 9: Volumes 33, 35, 40 and 41 are relevant to the study.

(ii) Montserrat

Series 177: Volume 12, Minutes of the Assembly 1767-1781.

(iii) Nevis

Series 186: Volume 6 is marked 'Council and Assembly', but should be more appropriately called 'Journal of the Assembly', 1765-1781.
Volume 7 is listed as 'Council and Assembly', but should be 'Minutes of the Council', 1768-1780.

(iv) St. Kitts

Series 239: Volume 1 contains miscellaneous correspondence with the Secretary of State, 1702-1812.

Series 241: Volume 11: marked 'Council and Assembly' but should be 'Journal of the Assembly', 1768-1780.

Volume 12: Minutes of the Council,
1767-1781.
Volume 14: Journal of the Assembly,
1768-1770, contains duplicates of
Volume 11.
Volume 17: Journal of the Assembly,
1778-1782.

St. Vincent

Series 260: Volumes 4 to 7 are the correspondence with the Secretary of State, 1776-1786.
Volume 6, 1778-1782 contains Journal of the Assembly and Minutes of the Council. There is a notable absence of Sessional Papers during this period.

America and the West Indies

Series 5: Volumes 93 and 94 are the correspondence with the Secretary of State, contain military despatches concerning the American War.

Series 318: Volumes 1 and 2 are the original correspondence with the Board of Trade, 1624-1808. Contain notes, statistical tables regarding trade between the United States, British North America, Britain and the West Indies. Volume 7 contains miscellaneous material on the West Indies in general.

Series 325: Miscellaneous series. Volume 6 contains a paper on the 'State of Trade with America'. Much of it deals with the period after 1783.

(f) Treasury Papers

Series 1: Contains several papers, accounts, reports, petitions and other material pertaining to trade, land grants, illicit commerce and other issues concerning the British West Indies. The relevant pieces used in this study are 338, 515, 516, 526, 528, 530, 531, 534, 535, 539, 540, 542, 551, 623.

Series 38: Volume 269 contains an account of Imports and Exports between England and the British West Indies 1773-1783.

(g) Custom House Accounts

Class 3: Contains ledgers of imports from the British West Indies into London and the outports in England, Volumes 69 to 80 were used in the preparation of the thesis.

B. British Museum, London

Of particular interest for a study of West Indian history are the Long Papers: Add. MSS. 12,402-12,440. Those used in this work are Add. MSS. 12,402-12,404, Long's manuscript copies of his 'History of Jamaica' with corrections and additions; Add. MSS. 12,411-12,414, notes pertaining to Jamaican history and trade statistics; Add. MSS. 12,415-12,421, James Knight's unpublished 'History of Jamaica to 1746'; Add. MSS. 12,431, papers relating to Jamaican affairs; Add. MSS. 12,430, 'Code de Noir 1788'; Add. MSS. 12,435 contains papers on statistics of Jamaica 1739-1770. Some are earlier; also contains reports on the island's development; Add. MSS. 22,677, letters of James Knight and others relating to Jamaica 1725-1789. The important material in this volume concerns neutral shipping with special reference to the West Indies during the Anglo-French War.

Add. MSS. 30,001. This volume contains the correspondence of the Rickets and Jervis family relative to Jamaican matters from 1757-1799. Most letters concern their property in the island.

Add. MSS. 33,316. The diary of James Pinnock, a Jamaican planter. Deals mainly with family matters, and only contains a few entries of any historical value.

Liverpool Papers

These are the official papers of the first Earl of Liverpool, and contain several items of interest to the West Indies, concerning statistics on trade, shipping returns, and information on British policy. Those consulted are Add. MSS. 38,218 containing letters from Jamaica, and other papers on several issues concerning the West Indies; Add. MSS. 38,219, 38,224 'Remarks relative to the Laws of Navigation and of the Revenue of the Customs in Jamaica'; Add. MSS. 38,309, 38342 and 38,343 contain West Indian Trade statistics; Add. MSS. 38,345-38,351: some of the papers in these volumes deal with the reorganisation of the Government of Grenada, and they also contain material relative to West Indian-United States trade, information about the French West Indies, comparative state of the trade between the British sugar islands, the United States of America and the

British mainland colonies, and also a paper on Nassau's claims for a free port; Add. MSS. 38,759 contains paper concerning British sugar policy; Add. MSS. 38,376 contains shipping statistics, 1784-1793, as well as papers relative to Grenada, and smuggling in the West Indies; Add. MSS. 38,387 has a paper on the importance of the sugar colonies to Britain with suggestions for their extension and improvement.

Add. MSS. 38,717. Letters from Lord Germain to Lord Macartney 1776-1779.

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Egerton MSS. 2.135. This volume contains letters and papers relating to the American War of Independence, and material relating to the surrender of Grenada to the French in 1779.

Haldimand Papers

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Kings MSS. 214 is Governor Archibald Campbell's 'Memoir of Jamaica'.

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C. Rhodes House Library, Oxford

William Senhouse, 'Diary, 1750-1800', 2 volumes, copied and compiled by Sir H.F. Senhouse: MSS. W. Ind. r. 5,6. Much of the material deals with William Senhouse's work as Surveyor-General of the Customs in the West Indies, his family, character sketches of Governor Hay, and Barbados social life.

D. Bodleian Library, Oxford

Barham Family Papers. Letters and papers pertaining to their Jamaica estates 1747-1835. Bodl. MSS. Clarendon; Dep. C. 357-360. Only Dep. C. 357 Bundle 1 was of any significance for this period. It contains letters from overseers in Jamaica about conditions of estate, slaves, effect of the American War on Jamaica, trade, shipping, sugar and rum prices.

E. Lambeth Palace Library, London

Fulham Papers: Vol. XX contains letters, newspaper articles, and political essays written by Edwin Thomas and James Ramsay relative to St. Kitts politics on the eve of the American Revolution. This material is highly significant for an understanding of West Indian politics.

F. Public Library, Bristol

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G. Archives Office, Bristol

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H. University Library, Bristol

Pinney Papers: Letter Books 3 to 5 deal mainly with trade and other conditions in the Leeward Islands during the American War.

I. National Library, Scotland

Charles Steuart Papers: MSS. 5028-5040. The volumes read were 5028-5034. Most of the letters to Charles Steuart, former Surveyor-General of Customs in North America, are from his nephews Thomas and Charles Ruddach. Thomas was a merchant and planter in Tobago, and Charles a plantation overseer in Jamaica. Their letters are chiefly about commercial conditions in the islands.

Robertson-Macdonald Papers: MSS. 3942 contains letters from R. Lindsay of St. Catherine, in Jamaica, discussing Jamaican affairs in 1776, attitude to the American Revolution, threats of war and the reasons for a Negro insurrection.

Houston Papers: MSS. 8793-9. The letter Books of Houston and Company, MSS. 8793 and 8794 contain letters to business correspondents in the West Indies mainly in Grenada, St. Vincent, Tobago, St. Kitts and Nevis regarding trade, freight rates, insurance charges and shipping between Glasgow and the West Indies.

MSS. 8795 contains copies of letters to the company's business associates in Greenock, London, Bristol and other places concerning West Indian products, shipping, insurance and related matters. Houston and Company's sale book 1775-1779 contains accounts of sales in Glasgow of West Indian sugar, rum, cotton, logwood and tobacco. Most of the other volumes are for the period during the French War.

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J. National Registry of Archives, Scotland

Cunningham of Lainshaw, MSS. GD 247, Box 59, Bundle Q, contains letters from William Cuninghame, a partner of, and Harry Clarke, an agent for, Robert Dunmore and Company 1777-1778, concerning shipping, freight rate, sugar prices, the state of the market, insurance premiums and other matters.

Abercairny MSS: GD 24, 1/461 contains letters, accounts and other papers from Charles Sterling, Jamaican planter, relating to plantations there, 1765-1797.

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